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The President

EXECUTIVE ORDER 9429

[ISSUANCE OF NECESSITY CERTIFICATES]

AMENDING EXECUTIVE ORDER 9406 OF
DECEMBER 17, 1943

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, and as President of the United States, sections 2 and 3 of Executive Order 9406 of December 17, 1943, entitled "Transfer of Functions with Respect to Necessity Certificates from the Secretary of War and the Secretary of the Navy to the Chairman of the War Production Board" are hereby amended to read as follows:

2. (a) The Secretary of War and the Secretary of the Navy shall act upon

(1) all applications for Necessity Certificates filed before October 5, 1943,

(2) applications for Necessity Certificates filed between and including October 5, 1943 and December 17, 1943 describing facilities the beginning of the construction, reconstruction, erection, installation, or the date of acquisition of which was prior to October 5, 1943, and

(3) applications for Necessity Certificates filed between and including October 5, 1943 and December 17, 1943 describing facilities for which the applicant had made contracts for the construction, reconstruction, erection, installation or acquisition thereof prior to October 5, 1943.

When the Secretary of War and the Secretary of the Navy have made final determination upon all applications specified in this subsection, their functions, powers and duties to issue Necessity Certificates shall cease.

(b) The Chairman of the War Production Board shall act upon

(1) applications for Necessity Certificates filed after December 17, 1943 describing facilities the beginning of the construction, reconstruction, erection, installation or the date of acquisition of which was prior to October 5, 1943. Such

applications for Necessity Certificates filed after the effective date of this order shall be filed with the War Production Board,

(2) applications for Necessity Certificates filed on and after October 5, 1943 and pending December 17, 1943 with the Secretary of War and the Secretary of the Navy which describe facilities, the construction, reconstruction, erection or installation of which has not begun or which have not been acquired,

(3) applications for Necessity Certificates filed after December 17, 1943 which describe facilities the construction, reconstruction, erection, or installation of which has not begun or which have not been acquired, and

(4) applications for Necessity Certificates filed after December 17, 1943 describing facilities for which the applicant had made contracts for the construction, reconstruction, erection, installation or acquisition thereof prior to October 5, 1943, provided that such applications are filed prior to April 5, 1944.

(c) The issuance of a Necessity Certificate by either the Secretary of War, the Secretary of the Navy or the Chairman of the War Production Board shall be conclusive of his authority under this section.

3. (a) The regulations of the Secretary of War and the Secretary of the Navy in effect prior to October 5, 1943 shall govern the issuance of Necessity Certificates for all applications for Necessity Certificates describing facilities the beginning of the construction, reconstruction, erection, installation or the date of acquisition of which was prior to October 5, 1943, or for which the applicant had made contracts for the construction, reconstruction, erection, installation or acquisition thereof prior to October 5, 1943.

(b) In acting upon applications for Necessity Certificates filed on and after October 5, 1943 describing facilities the construction, reconstruction, erection, or installation of which was not begun or which were not acquired prior to October 5, 1943, or for which the applicant had not made contracts for the con-

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

Book 1, Titles 1-3 (Presidential documents) with tables and index.
Book 2: Titles 4-9, with index.

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struction, reconstruction, erection, installation or acquisition thereof prior to October 5, 1943, Necessity Certificates shall not be issued unless the Chairman of the War Production Board has determined prior to the beginning of the construction, reconstruction, erection, installation, or the date of acquisition of the facilities (1) that the facilities to be constructed or acquired are clearly necessary for the war effort, and (2) that it is to the advantage of the Government that such additional facilities be privately financed.

The Secretary of War and the Secretary of the Navy are hereby authorized to amend their regulations governing the issuance of Necessity Certificates to the extent necessary to carry out their functions under this order.

This order shall be effective as of December 17, 1943.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
March 2, 1944.

[F. R. Doc. 44-3131; Filed, March 3, 1944; 11:18 a. m.]

EXECUTIVE ORDER 9427

ESTABLISHMENT OF THE RETRAINING AND REEMPLOYMENT ADMINISTRATION

Correction

The first sentence of paragraph (b) of Executive Order 9427, appearing on page 2199 of the issue for Saturday February 26, 1944, should read as follows:

(b) In consultation with the Government agencies concerned, to develop programs for the orderly absorption into other employment of persons discharged or released from the armed services or other war work, including adequate provisions for vocational training, for the finding of jobs for persons so discharged or released, for assisting those persons and their families pending their absorption into employment, and for dealing with the problems connected with the release of workers from industries not readily convertible to peacetime use.

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration

[FDO 79-107, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE ATLANTA, GA., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426) dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-107 (9 F.R. 140) relative to the conservation and distribution of fluid milk in the Atlanta, Georgia, milk sales area, issued by the Director of Food Distribution on December 31, 1943, is hereby amended by deleting therefrom in § 1401.141 (b) *Milk sales area*, the words "and Cobb" and inserting the word "and" after the word "Fulton" and before the word "De Kalb." The Atlanta, Georgia, milk sales area will then be described as follows:

"The city of Atlanta and the counties of Fulton and De Kalb, all in the State of Georgia."

The handler exemptions specified in § 1401.141 (i) are amended by deleting the numeral "125" and substituting therefor the numeral "250."

Effective date. This amendment of Food Distribution Order No. 79-107 shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-107, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-107, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of February 1944.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 44-2997; Filed, March 1, 1944; 12:23 p. m.]

[FDO 44, Amdt. 2]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON 1944 PACK OF CANNED FISH

Food Distribution Order No. 44 issued by the Secretary of Agriculture on April 1, 1943, as amended (8 F.R. 4227, 8797) is further amended to read as follows:

§ 1465.20 *Allocation of 1944 pack of canned fish*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "canner" means any person who is the first owner of canned fish.

(2) The term "canned fish" means fish which have been packed in the Continental United States or in the Territory of Alaska for commercial purposes in hermetically sealed metal or glass containers and sterilized in the containers by the use of heat.

(3) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(4) The term "pack" means the total amount, by net weight, of canned fish of the respective class of fish designated in (b) (1) hereof, packed during the period from March 1, 1944, to February 28, 1945, inclusive.

(5) The term "Director" means the Director of Food Distribution, War Food Administration.

(6) The term "governmental agency" means the Office of Distribution, War Food Administration, or any other agency or instrumentality of the United States designated by the Director.

(7) The term "delivery to governmental agencies" means the transfer of title of the canned fish to any governmental agency and such delivery may be evidenced by execution of bill of lading, receipt, or other document acceptable to the Director or the designated governmental agency.

(b) *Restrictions on canners.* (1) No canner may deliver any part of his pack of any class of the fish designated herein packed by the respective canner at any time during the period from March 1, 1944, to February 28, 1945, inclusive, except as permitted by the provisions of this order. The fish subject to the provisions of this order are, by classes, as follows:

Class 1. Salmon: Red, sockeye, or blueback (*Oncorhynchus nerka*).

Class 2. Salmon: Pink (*Oncorhynchus gorbuscha*).

Class 3. Salmon: Silver, silveride, medium red, or coho (*Oncorhynchus kisutch*).

Class 4. Salmon: King, chinook or spring (*Oncorhynchus tshawytscha*).

Class 5. Pilchard (*Sardina caerulea*) by whatever name known, including cardines.

Class 6. Atlantic sea herring (*Clupea harengus*) by whatever name known, including sardines.

Class 7. Atlantic mackerel (*Scomber scombrus*).

Class 8. Pacific mackerel (*Pseudomacropodus japonicus diego*) and Pacific horse mackerel (*Trachurus symmetricus*).

(2) Sixty percent of each canner's pack of canned fish of each class numbered 1 to 4, inclusive, designated in (b) (1) hereof, and 45 percent of each canner's pack of canned fish of each class numbered 5 to 8, inclusive, designated in (b) (1) hereof, is hereby established as each canner's quota for delivery to governmental agencies and no canner may deliver to governmental agencies a total quantity of his pack of any such class of canned fish which is in excess of a quantity equal to such percentage of his pack of the respective class of canned fish, plus 60,000 pounds of such class of canned fish.

(3) For each 60 pounds of canned fish of each class numbered 1 to 4, inclusive, designated in (b) (1) hereof, which a

canner has delivered to governmental agencies or for which he has submitted to a governmental agency a written tender of delivery in compliance with a written contract between the canner and such governmental agency, such canner may deliver 40 pounds of the same class of canned fish to persons other than governmental agencies: *Provided*, That, prior to the time of each such tender, the canner has obtained, with respect to the canned fish so tendered, an inspection certificate, issued by an inspection service approved by the governmental agency to which the tender has been made, which indicates that the respective quantity of canned fish so tendered meets all the specifications set forth in the said canner's contract for the respective class or canned fish so tendered.

(4) For each 45 pounds of canned fish of each class numbered 5 to 8, inclusive, designated in (b) (1) hereof, which a canner has delivered to governmental agencies or for which he has submitted to a governmental agency a written tender of delivery in compliance with a written contract between the canner and such governmental agency, such canner may deliver 55 pounds of the same class of canned fish to persons other than governmental agencies: *Provided*, That, prior to the time of each such tender, the canner has obtained, with respect to the canned fish so tendered, an inspection certificate, issued by an inspection service approved by the governmental agency to which the tender has been made, which indicates that the respective quantity of canned fish so tendered meets all the specifications set forth in the said canner's contract for the respective class of canned fish so tendered.

(5) Notwithstanding the provisions of any food distribution regulation, the Office of Distribution, War Food Administration, is hereby allocated the quantities prescribed in (b) (2) of this order, and is authorized to purchase, for governmental agencies, those quantities, designated as each canner's quota, and such other and further quantities as may be allocated to it from time to time.

(6) The Director may issue specifications at any time relative to the packing of the canned fish, the containers, container treatment, can marking, labeling, boxing, and strapping in connection therewith, or he may authorize any governmental agency to issue such specifications. Each person subject to the provisions of this order shall comply with such specifications, issued by the Director or the governmental agency authorized by the Director to issue such specifications, applicable to the canned fish processed by such person.

(c) *Inspection and grading.* All canned fish subject to the provisions of this order shall be subject to inspection and grading at any time by the Director or any governmental agency authorized by the Director to make such inspection and grading.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or

appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in canned fish.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of canned fish of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(f) *Applicability of order.* Any person doing business in one or more of the 48 States, the District of Columbia, or the Territory of Alaska, is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any other Territory or Possession of the United States with respect to such business.

(g) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using canned fish, or any other material subject to priority or allocation control by the War Food Administrator and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other government agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C. Ref. FD-44.

(j) *Effective date.* The provisions of this amendment shall become effective

at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 44, as amended, prior to the effective time of this amendment, all provisions of said Food Distribution Order No. 44, as amended, in effect prior to the effective time of this amendment, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator

[F. R. Doc. 44-2998; Filed, March 1, 1944;
12:23 p. m.]

TITLE 10—ARMY WAR DEPARTMENT

ISSUANCE OF NECESSITY CERTIFICATES

Paragraph 3 (d) of the regulations governing the issuance of Necessity Certificates under section 124 (f) of the Internal Revenue Code (7 F.R. 4233, 8 F.R. 13824) prescribed by the Secretary of War and the Secretary of the Navy, and approved by the President May 22, 1942, as amended (*supra*) is amended to read as follows:

(d) The construction, reconstruction, erection, installation, or acquisition of a facility shall not be deemed necessary unless (1) the beginning of the construction, reconstruction, erection, installation, or the date of acquisition of such facility, was prior to October 5, 1943; or (2) a contract for the construction, reconstruction, erection, installation or acquisition of such facility was made prior to October 5, 1943; or (3) an application for a Necessity Certificate describing such facility was filed before October 5, 1943; or (4) the Secretary of War or the Secretary of the Navy, in exceptional cases, has determined prior to the beginning of such construction, reconstruction, erection, installation, or the date of such acquisition, that there is a shortage of facilities for a supply required for military or naval uses and that it is to the advantage of the Government that additional facilities for such supply be privately financed.

This amendment shall be effective as of October 5, 1943.

HENRY L. STIMSON,
Secretary of War
ARTEMUS L. GATES,
Acting Secretary of the Navy.

Approved: March 2, 1944.

FRANKLIN D. ROOSEVELT.

[F. R. Doc. 44-3132; Filed, March 3, 1944;
11:20 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission [Docket No. 5013]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL BISCUIT COMPANY

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Discounts and allowances.* In connection with the offering for sale, sale, and distribution of bakery packaged food products in interstate commerce for use or resale (1) selling such commodities of like grade and quality to competing purchasers at uniform prices and thereafter granting varying discounts therefrom in the manner and under the circumstances found in paragraph four of the aforesaid findings as to the facts; i. e., as there in detail set forth, granting its so-called "headquarters discount" schedule, under which it grants additional discounts of, respectively, 1 percent, 2 percent, 3 percent, and 3½ percent, to customers whose monthly purchases, irrespective of the quantity or volume delivered to their respective branches or outlets, respectively, aggregate \$750 to \$5,000; \$5,000 to \$10,000; \$10,000 to \$150,000; and \$150,000 or more; plus additional discounts of, respectively, ½ of 1 percent, 1 percent and 1½ percent in the first group for average monthly purchases of the individual retail grocery stores owned, controlled or affiliated with the particular purchaser ranging, respectively, from \$15 to \$25 a month, \$25 to \$35 a month, and \$35 or more, respectively; ½ of 1 percent and 1 percent for such store purchases in the second group ranging from \$25 a month to \$35, and \$35 or more, respectively; ½ of 1 percent, 1 percent and 1½ percent, for such store purchases in the third group, ranging from \$35 to \$40, \$40 to \$50, and \$50 or over, respectively; and ½ of 1 percent and 1 percent for such monthly store purchases in the aforesaid fourth and last group ranging from \$30 to \$40, and \$40 a month or more, respectively; (2) continuing or resuming the discriminations in price referred to and described in paragraph four of the aforesaid findings as to the facts; and (3) otherwise discriminating in price between purchasers of bakery packaged food products of like grade and quality, in any manner or degree substantially similar to the manner and degree of the discriminations referred to in paragraph four of the aforesaid findings as to the facts; or in any other manner resulting in price discriminations substantially equal in amount to the aforesaid discriminations, except as permitted by section 2 of the Clayton Act as amended; prohibited. (Sec. 2 (a) 49 Stat. 1526; 15 U.S.C., sec. 13 (a)) [Cease and desist order, National Biscuit Company, Docket 5013, February 23, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of February, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the

complaint of the Commission and the stipulation as to the facts entered into between the respondent herein and W. T. Kelley, Chief Counsel for the Commission, which provides, among other things, that without the presentation of argument or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of subsection (a) of section 2 of an act of Congress approved October 15, 1914, entitled, "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes," the Clayton Act, as amended by the Robinson-Patman Act:

It is ordered, That the respondent, National Biscuit Company, a corporation, and its officers, directors, representatives, agents, and employees, in connection with the offering for sale, sale, and distribution of bakery packaged food products in interstate commerce for use or resale, do forthwith cease and desist:

1. From selling such commodities of like grade and quality to competing purchasers at uniform prices and thereafter granting varying discounts therefrom in the manner and under the circumstances found in paragraph four of the aforesaid findings as to the facts.

2. From continuing or resuming the discriminations in price referred to and described in paragraph four of the aforesaid findings as to the facts.

3. From otherwise discriminating in price between purchasers of bakery packaged food products of like grade and quality, in any manner or degree substantially similar to the manner and degree of the discriminations referred to in paragraph four of the aforesaid findings as to the facts; or in any other manner resulting in price discriminations substantially equal in amount to the aforesaid discriminations, except as permitted by section 2 of the Clayton Act as amended.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc: 44-3126; Filed, March 3, 1944;
11:06 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5335]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

EXTENSION OF TIME FOR ELECTING APPLICABLE INTERNAL REVENUE CODE SECTIONS

Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Sup.] are amended as follows:

PARAGRAPH 1. Section 30.760-4, added by Treasury Decision 5303, approved October 23, 1943, is amended by inserting immediately after the second paragraph thereof the following new paragraph:

The Commissioner may grant a reasonable extension of time for the making of the election provided by this section upon a showing, prior to March 15, 1944, to his satisfaction (1) that unusual circumstances exist in the taxpayer's case and (2) that the granting of the extension will not jeopardize the interests of the Government.

PAR. 2. Section 30.761-9, added by Treasury Decision 5303, is amended by inserting immediately preceding the last paragraph thereof the following new paragraph:

The Commissioner may grant a reasonable extension of time for the making of the election provided by this section upon a showing, prior to March 15, 1944, to his satisfaction (1) that unusual circumstances exist in the taxpayer's case and (2) that the granting of the extension will not jeopardize the interests of the Government.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) as made applicable by sec. 729 (a) of the Internal Revenue Code (54 Stat. 939; 26 U.S.C. 729 (a)) and sec. 230 (a) and (d) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: March 1, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3094; Filed, March 2, 1944;
4:20 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 10]

PART 602—GENERAL ORDERS AND DIRECTIVES

SHIPMENTS OF BY-PRODUCT COAL

In order to effectuate the purposes of Executive Order No. 9332, and by virtue of the authority conferred by that order, the following regulation is issued by the Solid Fuels Administrator for War.

Sec.

602.280 Definitions.

602.281 Restrictions of shipments of by-product coal except on contracts made before March 10, 1944.

602.282 Information and reports to be filed.

602.283 Damages for breach of contract.

602.284 Action under other regulations.

602.285 Approval of Bureau of the Budget.

602.286 Violations.

AUTHORITY: §§ 602.280 to 602.286, inclusive, issued under E.O. 9322, 8 F.R. 8355; E.O. 9125, 7 F.R. 2719.

§ 602.280 *Definitions.* For purposes of this regulation:

(a) "By-product coal" means that bituminous coal that is to be charged into by-product coke ovens for the production of coke for metallurgical uses, production of gas or by-products.

(b) "Person" means any person, partnership, association, business trust, corporation, government corporation or agency, or organized group of persons.

(c) "Producer" means any person to the extent that he is engaged in the business of mining coal at a mine producing 50 tons per day or more, or at a mine having rail or river shipping facilities regardless of tonnage produced, or any person who operates a central washery or preparation plant, or the sales agent of such persons.

(d) "Wholesaler" means any person to the extent that he purchases and resells coal in not less than cargo or railroad car lots and shall include, without limitation, distributors, jobbers and cooperatives.

§ 602.281 *Restrictions of shipments of by-product coal except on contracts made before March 10, 1944.* (a) Producers and wholesalers are prohibited from shipping any by-product coal to any person who requires by-product coal except in accordance with a contract for such coal made on or before March 10, 1944, or in accordance with instructions or directions issued by the Solid Fuels Administration for War.

(b) No person in the United States shall accept any by-product coal shipped except in accordance with a contract for such coal made on or before March 10, 1944, or in accordance with instructions or directions issued by the Solid Fuels Administration for War.

(c) Shipments may be made on any contract made on or before March 10, 1944, for the sale or delivery of by-product coal to any person, unless prohibited by directions or regulations hereafter issued by the Solid Fuels Administration for War.

§ 602.282 *Information and reports to be filed.* (a) Each person who requires by-product coal shall file on or before March 15, 1944, a report indicating, among other things, the tonnages of by-product coal contracted for shipment during the period April 1, 1944 to March 31, 1945, inclusive, and the names and locations of the persons with whom such contracts have been made.

(b) Each person who requires by-product coal shall also report on or before March 15, 1944, the tonnages of such coal by sizes and kinds which will be necessary, in addition to the amount of coal for which contracts have been made prior to March 10, 1944, to meet his minimum requirements for by-product coal during the period beginning April 1, 1944 and ending March 31, 1945.

(c) The reports required to be made pursuant to this section shall be filed with, and received on or before March 15, 1944, by, the Solid Fuels Administration for War, Washington 25, D. C., on forms to be prescribed by it and shall show any additional data indicated to be reported on such forms.

§ 602.283 *Damages for breach of contract.* No person shall be held liable for damages or penalties for any default under any contract which shall result directly or indirectly from compliance with this regulation.

§ 602.284 *Action under other regulations.* (a) Nothing contained in this regulation shall be deemed to modify the

provisions of Solid Fuels Administration for War Regulation No. 15 in respect to the shipment of byproduct coal via the Great Lakes.

(b) Nothing contained in this regulation shall be deemed to preclude the Solid Fuels Administrator for War from taking appropriate action under Solid Fuels Administration for War Regulation No. 1 or under any other regulation.

§ 602.285 *Approval of Bureau of the Budget.* The reporting requirements of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 602.286 *Violations.* (a) Any person who wilfully violates any provision of this regulation or who, by any act or omission, falsifies records kept or information furnished in connection with this regulation, is guilty of a crime and upon conviction may be punished by fine or imprisonment.

(b) Any person who wilfully violates any provision of this regulation may be prohibited from delivering or receiving any material under priority control or such other action may be taken as is deemed appropriate.

This regulation shall become effective immediately.

Issued this 2d day of March 1944.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War

[F. R. Doc. 44-3130; Filed, March 3, 1944;
11:27 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

ISSUANCE OF NECESSITY CERTIFICATES

The amended regulations (December 17, 1943) governing the issuance of Necessity Certificates under section 124 (f) of the Internal Revenue Code (8 F.R. 16964) prescribed by the Chairman of the War Production Board with the approval of the President (*supra*) are amended as follows:

Section 3 (c) (v) is amended to read as follows:

(v) *Applications for certification of certain facilities must be filed with request for priority assistance or specific authorization.* The issuance of a Necessity Certificate will not be considered for tax amortization of facilities acquired after the issuance of these regulations and for which an application for a Necessity Certificate is filed after the issuance of these Regulations, the acquisition of which can be made only with priority assistance or specific authorization of the War Production Board, unless the application for a certificate is filed together with the application for priority assistance or specific authorization.

Section 4 is amended to read as follows:

(4) *Application must be filed and determination made before construction is begun or date of acquisition.* The construction, reconstruction, erection, installation or acquisition of a facility will

not be deemed necessary within the terms of these regulations unless a determination of necessity is made by the certifying authority prior to the beginning of the construction, reconstruction, erection, installation or date of acquisition.

Section 7 (a) is amended to read as follows:

(a) *Place and time of filing application:* After the effective date of this regulation, an application for a Necessity Certificate for facilities for which, within the meaning of prior regulations, the date of beginning of construction or acquisition was prior to October 5, 1943, or the making of contracts for the construction or acquisition was prior to October 5, 1943, shall be filed with the War Production Board in Washington, D. C., and shall be deemed to be filed when received at that office.

D. M. NELSON,
Chairman.

Approved: March 2, 1944.

FRANKLIN D. ROOSEVELT.

[F. R. Doc. 44-3133; Filed, March 3, 1944;
11:20 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-493]

CHARLES S. MERRILL

Charles S. Merrill of 966 Military Drive, Salt Lake City, Utah, is a mortician and casket maker. On February 7, 1942, he made application to the War Production Board on Form PD-105 for authority to remodel a residential property owned by him and located at 28 East 7th Avenue South, Salt Lake City, Utah, into a 12-room apartment house. In that application he represented that each apartment would be rented by him for not more than \$42.50 per month, including services. On February 26, 1942, the War Production Board approved the application and issued to him a Preference Rating Order P-55. He completed the remodeling about October 1, 1942. Immediately thereafter he rented and has continued to rent each of the apartments for \$62.50 a month without authorization of the War Production Board or any other government agency or department. This was in violation of the representations contained in his application on Form PD-105.

In remodeling this property, Charles S. Merrill failed to keep accurate and complete records of his purchase orders and other expenditures made in procuring and using materials and supplies and for labor. These acts constituted a violation of Priorities Regulation No. 1.

In remodeling the property at 28 East 7th Avenue South in Salt Lake City, Charles S. Merrill purchased materials and supplies in excess of the amounts needed for that purpose and authorized by the P-55 Order and used a portion of

them for construction work on premises known as the Villa and located at 3510 South 20th East, Salt Lake City, Utah. These acts constituted a violation of Preference Rating Order P-55 and Priorities Regulation No. 1.

These violations of Preference Rating Order P-55 and Priorities Regulation No. 1 by Charles S. Merrill were wilful in that they were the result of gross negligence and they have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.493 *Suspension Order No. S-493.* (a) Neither Charles S. Merrill, his successors or assigns, nor anyone acting on his or their behalf, shall order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material, construction plant or equipment in order to start or to continue or to complete construction on the premises known as the Villa, located at 3510 South 20th East, Salt Lake City, Utah, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Charles S. Merrill from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 2, 1944.

Issued this 24th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3095; Filed, March 3, 1944;
4:46 p. m.]

Chapter XI—Office of Price Administration

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 376, Amdt. 2]

SWEET POTATOES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 376 is amended in the following respects:

1. Section 1 (h) is added, to read as follows:

(h) Sweet potatoes, including all kinds of sweet potatoes grown in or imported into the United States, such as, for example, kiln-dried sweet potatoes, yams, Nancy Halls, Puerto Ricans, Jersey type, etc.

2. Section 2 is amended to read as follows:

SEC. 2. *Prohibition against buying and selling above maximum prices.* On and after March 2, 1944, with respect to sweet potatoes, and on and after April 24, 1943, with respect to the other listed commodities, regardless of any contract, agree-

*Copies may be obtained from the Office of Price Administration.

18 F.R. 5487, 7391.

ment or other obligation, no person shall sell or deliver a listed commodity and no person in the course of trade or business shall buy or receive a listed commodity at a price higher than the maximum price permitted by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices than the maximum prices may be charged, demanded, paid or offered.

3. Section 3 (a) is amended by adding the phrase "and during the period December 17, 1943 to December 21, 1943, inclusive (as to sweet potatoes)" immediately following the parenthetical phrase which reads "(as to lettuce and spinach)"

4. Section 5 (a) is amended by adding the phrase "and December 22, 1943 (as to sweet potatoes.)"

5. In section 5, paragraph (c) is amended and paragraph (d) is added to read as follows:

(c) Such sales of the listed commodities at retail as are now or may hereafter be covered by any other maximum price regulation.

(d) All sales of sweet potatoes to dehydrators for dehydration purposes.

6. Section 8 (a) is amended by adding the following sentence: "As to sweet potatoes, this statement shall be prepared on or before March 1, 1944."

7. In section 13 (a) (2) the first sentence is amended to read as follows: "Highest price charged" means the highest price which the seller charged for a listed commodity delivered by him during the applicable base period to a purchaser of the same class or, if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class.

This amendment shall become effective March 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator

Approved: February 26, 1944:

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3097; Filed, March 2, 1944; 4:52 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 21]

FRESH CITRUS FRUIT

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respect:

The effective date provision of Amendment 19 to Maximum Price Regulation 426 is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.
8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023.

Amendment 19 shall become effective February 23, 1944, as to maximum prices, f. o. b. shipping point.

Amendment 19 shall become effective on March 3, 1944 as to maximum prices other than maximum prices f. o. b. shipping point named in tables 2, 3, 6, 7, 8 and 10 of paragraph (c) of Appendix I.

Amendment 19 shall become effective on March 9, 1944 as to maximum prices other than maximum prices f. o. b. shipping point named in tables 1, 4, 5, 9 and 11 of paragraph (c) of Appendix I.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued and effective this 3d day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: March 2, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3134; Filed, March 3, 1944; 11:42 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 20—SPECIAL REGULATIONS

GETTYSBURG NATIONAL MILITARY PARK

Pursuant to the authority contained in the act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3) Part 20, Chapter I, Title 36, Code of Federal Regulations, is amended by adding a new § 20.42 reading as follows:

§ 20.42 *Gettysburg National Military Park; speed.* Speed of vehicles is limited to 25 miles per hour.

(39 Stat. 535, 16 U.S.C. 3)

Issued this 22d day of February 1944.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior

[F. R. Doc. 44-3123; Filed, March 3, 1944; 9:57 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 23, Supp. 1, Amdt. 1]

PART 310—MERCHANT MARINE TRAINING

APPOINTMENT OF OFFICERS

Section 310.45b is amended to read:

§ 310.45b *Qualifications.* (a) An Applicant for appointment in the deck or engine branch must be a licensed officer of the United States Merchant Marine, and must be serving on a vessel of not less than 1,000 gross tons, which vessel has been documented under the laws of the United States: *Provided, however* That an applicant with outstanding qualifications may be specially appointed by the Director.

(b) The applicant must be employed in connection with the seafaring profession in a capacity connected with the operation or management of ships of the United States Merchant Marine, or in connection with the training of personnel for said Merchant Marine, or the applicant's services must be desired for special duty.

(c) An applicant in the staff branch must be serving under a license or certificate issued by appropriate authority and so qualifying him for the rating.

(d) An applicant, aboard ship, must have been employed in his present capacity for at least one year immediately preceding the filing of his application, unless considered otherwise qualified by the Director: *Provided, however*, That this requirement shall not apply to graduates of schools under the supervision of the Administrator of the War Shipping Administration.

(e) During wartime, the applicant must agree, if requested, to take such extension and correspondence courses under such rules and regulations and upon such terms as the Director may prescribe.

(f) *Table of maximum rank for appointment.*

| Duties—Merchant Marine | Passenger vessels (A) 15,000 gross tons and over | Passenger vessels (A) 6,000 gross tons and over | Cargo vessels 5,000 gross tons and over and passenger vessels (A) 4,000 gross tons and over | Vessels under 5,000 gross tons |
|---|---|--|--|--|
| Deck and Engine Departments— First Ranking Officer..... (Master and Chief Engr.)..... Second Ranking Officer..... Third Ranking Officer..... Fourth Ranking Officer..... Fifth Ranking Officer..... Sixth Ranking Officer..... Chief Electrician and Chief Refrigerating Engineer (C). Second Electrician and Second Refrigerating Engr. (C). Third Electrician and Third Refrigerating Engr. (C). Staff and Steward Departments— Chief Purser and Chief Steward (E). Second Ranking Officer and Chief (E). Third Ranking Officer and Sous Chef (E). Fourth Ranking Officer..... Chief Stewardess..... Medical Department: Senior Medical Officer (L)..... Junior Medical Officer (L)..... | Captain (B)..... Commander..... Lieut. Comdr..... Lieutenant..... Lieutenant (J. G.)..... Ensign..... Lieutenant (J. G.)..... Ensign..... Ensign..... Warrant Electrician..... Lieut. Comdr..... Lieutenant..... Lieutenant (J. G.)..... Ensign..... Warr. Ship's Clerk..... Commander..... Lieut. Comdr..... | Captain..... Commander..... Lieut. Comdr..... Lieutenant..... Lieutenant (J. G.)..... Ensign..... Lieutenant (J. G.)..... Ensign..... Ensign..... Warrant Electrician..... Lieut. Comdr..... Lieutenant..... Lieutenant (J. G.)..... Ensign..... Ensign..... Lieut. Comdr..... Lieutenant..... | Commander (D)..... Lieut. Comdr..... Lieutenant..... Lieutenant (J. G.)..... Ensign..... Ensign..... Ensign..... Ensign..... Ensign..... Warrant Electrician..... Lieutenant (J. G.) (M). Lieutenant (J. G.) (J. G.) (M). Lieutenant (J. G.) (J. G.) (M). Ensign..... Lieutenant (J. G.) (M). Lieutenant..... | Lieut. Comdr. (F)..... Lieutenant..... Lieutenant (J. G.)..... Ensign..... Ensign..... Ensign..... Ensign..... Ensign..... Ensign..... Warrant Electrician..... Lieut. (J. G.) (E) (M). Lieutenant..... Lieutenant (J. G.) (M). Lieutenant..... Lieutenant..... Lieutenant..... |

| Radio department | Holders of first class radiotelegraph license | Holders of second class radiotelegraph license (N) |
|-------------------------------|---|--|
| Chief radio operator | Lieutenant (G) | Ensign (H). |
| Second ranking radio operator | Lieutenant (J. G.) | Ensign. |
| Third ranking radio operator | Ensign | Ensign. |

Notes

- (A) Ocean-Going Vessels Licensed to Carry 100 or More Passengers and Which Normally Engage in Passenger Carrying Trade.
- (B) One Rank Higher for Masters After Ten Years Service as Master on This Class Vessel.
- (C) Ocean Engineer License or Certificate of Service as Electrician or Refrigerating Engineer, Qualified Member Engine Department Required. Appointment Limited to Electricians Obtaining Required Service Aboard Turbo-Electric Drive or Motor Vessels, and to Refrigerating Engineers Obtaining Required Service Aboard Vessels With Refrigerated Cargo Holds.
- (D) One Rank Higher for Masters and Chief Engineers After Ten Years Service as Master or Chief Engineers Vessels 2,500 Gross Tons or Over. In No Case Shall Chief Engineers Wear the Insignia of a Higher Rank Than That Worn by the Master.
- (E) Chief and Sous Chief on Passenger Vessels 15,000 Gross Tons or Over Only.
- (F) One Rank Higher After Ten Years Service as Master or Chief Engineer Vessels Over 2,500 Gross Tons. Two Ranks Higher After Fifteen Years Service as Master or Chief Engineer Vessels Over 2,500 Gross Tons. In No Case Shall Chief Engineers Wear the Insignia of a Higher Rank Than That Worn by the Master.
- (G) Five Years Service as Chief or Sole Operator Required, To Be Obtained While Holding First Class License.
- (H) After One Years Service on First Class Radio Telegraph License One Rank Higher.
- (I) One Rank Lower Unless Three Years Service This Capacity Aboard This Class Vessel Is Obtained.
- (J) Passenger Vessels Only.
- (K) Off-Shore and Inter-Coastal Trades Only. One Rank Lower Unless Three Years Service This Capacity Aboard Vessels 2,500 Gross Tons or More Secured, or if Service This Capacity Is Secured Aboard Vessels Under 2,500 Gross Tons.
- (L) License to Practice Medicine Issued by State or Territory of the United States Required.
- (M) Service on Great Lakes and Inland Waterways Not Acceptable.
- (N) Holders of Temporary Limited Licenses One Rank Lower.

(g) Lower age limits are placed on original appointment or promotion to ranks as indicated below:

| | |
|---------------------------|----|
| Captain | 34 |
| Commander | 30 |
| Lieutenant Commander | 27 |
| Lieutenant | 23 |
| Lieutenant (jg) | 20 |
| Ensign or Warrant Officer | 19 |

(h) Waivers may be granted by the Commandant to allow the issuance of provisional promotion to cover the proper ranking as prescribed by paragraph (f). Such provisional promotion shall be effective only during such time as the position held requires such rank.

(E.O. 9054, 7 F.R. 837; E.O. 9198, 7 F.R. 5383)

E. S. LAND,
Administrator

FEBRUARY 29, 1944.

[F. R. Doc. 44-3015; Filed, March 1, 1944;
4:32 p. m.]

[Rev. Dir. 4, Amdt. 1]

PART 321—DIRECTIVES

FORWARDING AND TRANSPORTATION OF WATERBORNE FOREIGN COMMERCE OF U. S.

Section 321.4 *Directive 4. Forwarding and transportation of waterborne foreign commerce of the United States*, effective February 1, 1943, 8 F.R. 1321, is amended by striking out paragraphs (b) *Consignment of cargo*, (c) *Information required*, and (d) *Preparation of documents*, and inserting in lieu thereof:

(b) *Consignment of cargo.* All Lend-Lease cargo shall be consigned to the Administrator, as principal; all other cargo within the scope of this Directive shall be similarly consigned unless the Administrator's consent to the designation of some other consignee be previously obtained. After consignment, in the event that instructions for stoppage

in transit or diversion to intermediate storage are given to the carrier or carriers, the issuer of such instruction shall immediately notify the Administrator or his agent and, where the consignee is a person other than the Administrator or his agent, such other person shall also be immediately notified.

(c) *Information required.* Except as otherwise provided herein, the following information with respect to all cargo within the scope of this Directive, together with such other information as the Administrator may require, shall be furnished to the Administrator or his agent as soon as it is available:

(1) The identifying serial number and date of issuance of the O. D. T. block permit and of the Q. M. R. or other release, if any authorizing movement of the cargo;

(2) Confirmation of movement, origin, date of shipment, route, mode of carriage and identification of carrying unit or units to the port or point of export;

(3) Original and such copies of inland carrier's bill of lading and of shipping papers as the Administrator may direct.

The Administrator may waive, in whole or in part, the application of this paragraph (c) with respect to any cargo within the scope of this Directive other than Lend-Lease cargo.

(d) *Preparation of documents.* With respect to all cargo within the scope of this Directive which is consigned to the Administrator or his agent, the Administrator will prepare or cause to be prepared all dock receipts, ocean bills of lading, charter parties, contracts of affreightment, customs declarations and other appropriate ocean shipping documents.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator

MARCH 1, 1944.

[F. R. Doc. 44-3093; Filed, March 2, 1944;
3:32 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 9A-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, SUSPENSIONS AND PERMITS

MOVEMENT OF COAL ON THE GREAT LAKES

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That:

All provisions of General Order ODT 9A (8 F.R. 6381) shall be and the same are hereby suspended until May 15, 1944.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 3d day of March 1944.

C. D. YOUNG,
Deputy Director

Office of Defense Transportation.

[F. R. Doc. 44-3127; Filed, March 3, 1944;
11:07 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838, Gen. Dir. 8]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

Pursuant to paragraph (n) of the order entitled "Coordinated Pilchard Production Plan" (8 F.R. 9233) being Order No. 1838 of the Secretary of the Interior, the pilchard order, because it is deemed necessary to accomplish the purposes of that order, the following General Direction No. 8 is hereby issued:

(a) General directions number 1 to 7 inclusive, all that have been issued up to this time, shall be suspended, for the several ports in Area II, for the period between sardine seasons as defined for those ports respectively in section 1065 of the California Fish and Game Code; that is, until the opening of the season in the fall of 1944, the General Directions shall not be applicable at the ports of San Francisco and Monterey after 12:01 a. m. February 17, 1944, nor at the port of San Pedro after 12:01 a. m. March 2, 1944. Any person may be held responsible after such suspension, however, for violation of any of the general directions occurring before such suspension.

(b) The suspension of all general directions is not to be misunderstood as affecting the necessity for securing fishing permits, as set out in paragraph (e) of the pilchard order, for operations after the end of the season. Every vessel requiring a permit during the season must also have a permit as explained in that paragraph for any fishing between seasons.

Dated February 15, 1944.

O. E. SETTE,
Area Coordinator Area II.

[F. R. Doc. 44-3124; Filed, March 3, 1944;
9:57 a. m.]

[Order 1925]

PART 401—PRODUCTION OF FISHERY
COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN ALASKA

Whereas by Executive Order No. 9280 of December 8, 1942, the President conferred upon the Secretary of Agriculture full responsibility and control over the Nation's food program in order to assure an adequate supply and efficient distribution of food to meet war and essential civilian needs; and

Whereas by Food Directive No. 2 of February 8, 1943 (CFR Title 7, Chapter 11, Part 1400) the Secretary of Agriculture delegated to me, among other things, the right to exercise all of the powers conferred upon him by paragraph (b) of section 1 of Executive Order No. 9280, in so far as it relates to the production of fishery commodities and products; and

Whereas by Food Directive No. 2, the Secretary of Agriculture authorized me to exercise these powers through such agencies and officers of the Department of the Interior or of the office established by Executive Order No. 9204 of July 21, 1942, as I may designate; and

Whereas it is deemed imperative to effectuate a program designed to facilitate the production of an adequate supply of canned salmon in the Territory of Alaska with a minimum utilization of critical material, manpower and shipping facilities; and—

Whereas representatives of practically the entire salmon canning industry in the Territory of Alaska have indicated their willingness to join in such cooperative agreements as may be practicable and feasible in order to pool their operating facilities, and allocate available manpower on an equitable basis in an industry concentration program designed to minimize factors that tend to affect production adversely; and

Whereas in the exercise of the powers conferred upon me, I have designated the Office of Fishery Coordination, established by Executive Order No. 9204, to execute, administer, regulate, and enforce the provisions of this order affecting the salmon canning industry in the Territory of Alaska;

Now, therefore, it is hereby ordered:

§ 401.1 *Salmon canning industry in the Territory of Alaska*—(a) *Jurisdiction*. Complete control and authority over the salmon canning industry in the Territory of Alaska solely for the purpose herein specified shall be vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Definitions*. For the purposes of this order:

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Salmon" means any fish of the following species: Red or sockeye (*Oncorhynchus nerka*) pink or humpback (*Oncorhynchus gorbuscha*) silver, medium red, or coho (*Oncorhynchus kisutch*) chum or keta (*Oncorhynchus keta*) king, chinook, or spring (*Oncorhynchus tshawytscha*) steelhead or steelhead trout (*Salmo gairdneri*)

(3) "Line" means the assembly of canning machinery operated in connection with each filling machine. The filling of cans by hand shall be construed to be a line.

(4) "Fishery Coordinator" means the Secretary of the Interior.

(5) "Nucleus plant" means a plant for the canning of salmon for commercial purposes which may be operated during the year 1944 under the terms of this order.

(6) "Canning salmon for commercial purposes" means the process of packing salmon for the purpose of sale in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(c) *Salmon canning for commercial purposes prohibited in the Territory of Alaska except as herein provided*. No person shall engage in canning salmon for commercial purposes in the Territory of Alaska, including all coastal and tributary waters thereof over which the United States has jurisdiction, after the

effective date of this order and prior to January 1, 1945, unless specifically authorized by this order or by the order of the Fishery Coordinator, and upon compliance with such directives, orders, and regulations as he may from time to time prescribe. Prior to engaging in canning operations all persons, companies, and corporations authorized to operate under Schedule A of this order shall obtain from the Fishery Coordinator a salmon canning license which shall be posted in the office of the operating establishment throughout the canning season. No person named in Schedule A, unless otherwise ordered by the Fishery Coordinator, shall operate, either singly or in conjunction with any other person, in the nucleus plant so assigned to such person or persons more than the number of lines set forth in the schedule opposite the name of such nucleus plant nor employ more persons than authorized under War Manpower Commission labor ceilings stated in Schedule A opposite the name of the operator and in the terms of said operator's license. In those plants where half-pound lines are already established, such half-pound lines may be operated when desirable if labor used is confined to quota authorized for such plants under War Manpower Commission labor ceilings.

SCHEDULE A—SALMON CANNERY OPERATING SCHEDULE—1944

| District and company | Plants | | Number of lines | W. M. C. labor ceilings | |
|--|---------------|---------------|-----------------|-------------------------|-----------|
| | Closed | Operating | | Non-residents | Residents |
| Ketchikan—Wrangell: | | | | | |
| Northern Packing Co. | Ketchikan | Wards Cove | 2 | 105 | 50 |
| Wards Cove Packing Co. | Ketchikan | Wards Cove | 2 | 105 | 113 |
| Payne (of Boleum-Payne) | Ketchikan | Sunny Point | 2 | 105 | 113 |
| P. E. Harris & Co. | Ketchikan | Sunny Point | 2 | 105 | 113 |
| P. E. Harris & Co. | Ketchikan | Sunny Point | 2 | 105 | 113 |
| Borgia Packing Co. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| New England Fish Co. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Libby, McNeill & Libby | George Inlet | Ketchikan | 1 | 55 | 65 |
| Fidalgos Isl. Packing Co. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Nakat Packing Corp. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Nakat Packing Corp. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Annette Island Canning Co. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Boleum Traps (of Boleum-Payne) | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Pacific American Fisheries, Inc. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Whit Packing Co. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Ketchikan Packing Co. | Ketchikan | Ketchikan | 1 | 55 | 65 |
| Independent Salmon Canneries | Ketchikan | Ketchikan | 1 | 55 | 65 |
| A. R. B. Packing Co. | Wrangell | Wrangell | 2 | 55 | 150 |
| Farwest Alaska Co. | Wrangell | Wrangell | 2 | 55 | 150 |
| Burnett Inlet Salmon Co. | Burnett Inlet | Burnett Inlet | 2 | 55 | 150 |
| West Coast: | | | | | |
| Hydaburg Canning Co. | Hydaburg | Hydaburg | 1 | 23 | 51 |
| Nakat Packing Corp. | Waterfall | Waterfall | 2 | 124 | 51 |
| Peratrovich & Son Pkg. Co. | Klawock | Klawock | 1 | 20 | 73 |
| Craig Packing Co. (for current operator, if any) | Craig | Craig | 1 | 132 | 59 |
| Libby, McNeill & Libby | Craig | Craig | 1 | 24 | 12 |
| New England Fish Co. | Noyes Island | Noyes Island | 1 | 24 | 33 |
| Bellingham Canning Co. | Klawock | Klawock | 1 | 24 | 33 |
| Western: | | | | | |
| Pyramid Packing Co. | Sitka | Sitka | 1 | 13 | 100 |
| Todd Packing Co. | Todd | Todd | 1 | 60 | 60 |
| New England Fish Co. | Chatham | Chatham | 1 | 57 | 40 |
| Hood Bay Canning Co. | Hood Bay | Hood Bay | 1 | 59 | 55 |
| Superior Packing Co. | Tonsko | Tonsko | 2 | 70 | 80 |
| Salt Eel Fisheries | Tonsko | Tonsko | 2 | 70 | 80 |
| P. E. Harris & Co. | Hawk Inlet | Hawk Inlet | 2 | 175 | 60 |
| Eastern: | | | | | |
| Libby, McNeill & Libby | Taku | Taku | 1 | 132 | 12 |
| P. E. Harris & Co. | Kake | Kake | 2 | 135 | 43 |
| Douglas Fisheries, Inc. | Douglas | Douglas | 1 | 17 | 40 |
| Burnett Inlet Salmon Co. | Englem Bay | Englem Bay | 1 | 30 | 25 |
| Sebastian Stuart Fish Co. | Tyee | Tyee | 1 | 89 | 41 |
| Pacific American Fisheries, Inc. | Petersburg | Petersburg | 2 | 65 | 94 |
| Dean O. Kaylor | Esow Bay | Esow Bay | 1 | 11 | 52 |
| Fidalgos Island Packing Co. | Pillr Bay | Pillr Bay | 2 | 80 | 22 |

1 Operating plants are referred to in this order as the "nucleus plants."

SCHEDULE A—SALMON CANNERY OPERATING SCHEDULE—1944—Continued

| District and company | Plants | | Number of lines | W. M. C. labor ceilings | |
|--|----------------|----------------------------|-----------------|-------------------------|-----------|
| | Closed | Operating ¹ | | Non-residents | Residents |
| Icy Strait: | | | | | |
| Juneau Packing Co. | | Idaho Inlet | 1 | 0 | 6 |
| Cape Cross Salmon Co. | | Pelican City | 1 | 19 | 12 |
| Burnett Inlet Salmon Co. | Elfin Cove | | | | |
| Icy Straits Salmon Co. | | Hoonah | 1 | 21 | 82 |
| Astoria & Puget Sound Canning Co. | | Excursion Inl. | 2 | 136 | 86 |
| Pacific American Fisheries, Inc. | | Same plant | | | |
| Haines Packing Co. | | Letnikof Cove | 1 | 6 | 42 |
| Yakutat: | | | | | |
| Libby, McNeill & Libby | | Yakutat | 2 | 48 | 48 |
| Prince William Sound: | | | | | |
| Copper River Cooperative Co. | | Copper River & Esh-amy Bay | 1 | 8 | 16 |
| Crystal Falls Fish Co. | | Mountain Slough | 1 | 8 | 8 |
| New England Fish Co. | | Cordova | 2 | 140 | 40 |
| Shepard Point Packing Co. | Shepard Point | | | | |
| Pioneer Sea Foods | | Cordova | 2 | 100 | 60 |
| G. P. Hallert, Inc. | | Cordova | 1 | 51 | 35 |
| W. R. Gilbert Co., Inc. | Whitshed | | | | |
| Copper River Packing Co. | | Port Nellie Juan | 2 | 120 | 20 |
| Ellamar Packing Co. | | Ellamar | 1 | 62 | 28 |
| San Juan Fishing & Packing Co. | | San Juan | 2 | 124 | 16 |
| Port Ashton Packing Co. | | Port Ashton | 1 | 78 | 16 |
| Resurrection Bay: | | | | | |
| Hagen and Co. | | Seward | 1 | 2 | 3 |
| Cook Inlet: | | | | | |
| Alfred Jones | | Homer | 1 | 0 | 2 |
| Port Chatham Packing Co. | | Portlock | 1 | 0 | 6 |
| Naliska Bay Packing Co. | | Boulder Point | 1 | 0 | 3 |
| Reilly & Wilmans Cannery | | Cook Inlet | 1 | 0 | 4 |
| Libby, McNeill & Libby | | Kenai | 2 | 92 | 89 |
| Emard Packing Co. | | Anchorage | 2 | 18 | 63 |
| General Fish Co. | | Anchorage | 1 | 39 | 42 |
| Kodiak Island Fish, Trading & Packing Co. | | Seldovia | 1 | 30 | 42 |
| Cook Inlet Packing Co. | | Seldovia | 1 | 12 | 28 |
| Fidalgo Island Packing Co. | | Port Graham | 1 | 35 | 69 |
| Snug Harbor Packing Co. | | Snug Harbor | 1 | 70 | 41 |
| Alaska Year Round Canneries | | Seldovia | 1 | 26 | 27 |
| Kodiak-Afognak: | | | | | |
| Sandvik Hand Cannery | | Uganik | 1 | 0 | 3 |
| Pacific American Fisheries, Inc., and Alaska Packers Assn. | | Aliak | 2 | 161 | 8 |
| Far North Packing Co. | | Moser Bay | 1 | 59 | 1 |
| San Juan Fishing & Packing Co. | Larsen Bay | Uganik | 2 | 149 | 10 |
| Alaska Packers Assn. | | | | | |
| Uganik Fisheries, Inc. | | Uganik | 1 | 71 | 22 |
| Kodiak Fisheries Co. | | Port Bailey | 2 | 149 | 32 |
| Pacific American Fisheries | (Traps) | | | | |
| Kodiak Fisheries Co. | | Shearwater | 1 | 74 | 13 |
| Frank McConaghy Co. | | Kodiak | 1 | 22 | 60 |
| Washington Fish & Oyster Co. | | Pt. Williams | 1 | 65 | 20 |
| Grimes Packing Co. | | Ouzinkie | 1 | 23 | 41 |
| Alaska Red Salmon Packers | | | | | |
| Parks Canning Co. | Carmel | | | | |
| Chignik: | | Uyak Bay | 1 | 74 | 27 |
| Alaska Packers Assn. | | Chignik | 2 | 120 | 68 |
| Chignik Packing Co. | Chignik | | | | |
| Alaska Peninsula: | | | | | |
| Pacific American Fisheries, Inc. | | Squaw Harbor | 3 | 207 | 93 |
| Alaska Pacific Salmon Co. | Sand Point | | | | |
| Alaska Native Consolidated Canning Co. | Sand Point | | | | |
| P. E. Harris & Co. | | False Pass | 1 | 127 | 44 |
| Pacific American Fisheries, Inc. | | King Cove | 2 | 176 | 20 |
| Port Moller: | | | | | |
| Peninsula Packing Co. | | Port Moller | 1 | 81 | 10 |
| Pacific American Fisheries, Inc. | Port Moller | | | | |
| Bristol Bay: | | | | | |
| Naknek-Kvichak: | | | | | |
| Pacific Amer. Fisheries, Inc. | | Naknek | 3 | 235 | 133 |
| Pacific Amer. Fisheries, Inc. | Nornek | | | | |
| Nakat Packing Corp. | | Nakeen | 3 | 229 | 137 |
| Intercoastal Packing Co. | Kvichak | | | | |
| Libby, McNeill & Libby | | Kogguung | 4 | 200 | 174 |
| Libby, McNeill & Libby | Libbyville | | | | |
| Alaska Packers Assn. (NN) | | Naknek | 4 | 263 | 182 |
| Alaska Packers Assn. (N) | | | | | |
| Alaska Packers Assn. (X) | | Kogguung | 4 | 275 | 161 |
| Red Salmon Canning Co. | Coffee Creek | | | | |
| Alaska Salmon Co. (2 canneries) | | Naknek | 4 | 303 | 160 |
| Columbia River Packers Assn. | Peterson Point | | | | |
| Libby, McNeill & Libby | | Naknek | 3 | 235 | 131 |
| Nushagak: | | | | | |
| Pacific American Fisheries, Inc. | | Snag Point | 1 | 65 | 116 |
| Libby, McNeill & Libby | | Ekuk | 3 | 173 | 150 |
| Columbia River Packers Assn. | Combine Creek | | | | |
| Alaska Packers Assn. (NO) | | Clark Point | 3 | 171 | 148 |
| Alaska Salmon Co. | Wood River | | | | |
| Ugashik: | | | | | |
| Wingard Packing Co. | | Ugashik | 1 | 86 | 57 |
| Alaska Packers Assn. | Ugashik | | | | |
| Egegik: | | | | | |
| Libby, McNeill & Libby | Egegik | | | | |
| Alaska Packers Assn. (E) | | Egegik | 2 | 153 | 87 |
| Yukon-Kuskokwim: | | | | | |
| Northern Commercial Co. | | Kwiguk | 1 | 0 | 45 |
| Bering Trading Co. | | Kwiguk | 1 | 0 | 37 |

¹ Operating plants are referred to in this order as the "nucleus plants."

(d) *Restrictions applicable to specific persons named in Schedule A.* (1) Peninsula Packing Co., is authorized to operate its floating cannery independently in other areas after the close of operations at Port Moller.

(e) *Agreements between persons named in Schedule A.* (1) Duplicate copies of all agreements entered into between persons named in Schedule A providing for the use in common of nucleus plants, lines, and other facilities, must be filed with the Office of Fishery Coordination, Department of the Interior, when required by the Fishery Coordinator. The Fishery Coordinator may review any agreement and shall have the right to disapprove it if its terms and conditions are deemed not to be in the public interest.

(2) Where any persons named in Schedule A are unable to reach a mutually fair and equitable agreement providing for the use in common of nucleus plants, lines, and other facilities, the Fishery Coordinator shall have the right, after reviewing all of the pertinent facts submitted by the interested persons and other available information, to prescribe an agreement which will protect adequately the rights of the persons affected thereby.

(f) *Petition for relief.* (1) Any person subject to this order who finds that compliance herewith is impracticable and would tend to create an unreasonable burden without facilitating the production of canned salmon in the Territory of Alaska may file with the Fishery Coordinator a petition in writing for appropriate relief. Such petition should be filed in triplicate and contain a full showing of all the pertinent facts and the nature of the relief sought. The Fishery Coordinator shall thereupon take such action on the petition as he may deem appropriate, and any decision rendered shall be final and binding upon the petitioner.

(2) Any person not named in Schedule A of this order who believes that his name should properly be included therein may file with the Fishery Coordinator a petition in writing for appropriate relief. The petition should conform with the requirements prescribed in the preceding subparagraph (1) and any decision rendered by the Fishery Coordinator shall likewise be final and binding upon the petitioner.

(g) *Custom canning.* Any person, owning salmon, who hires a person designated in Schedule A to can the salmon for commercial purposes shall not be deemed to be engaged in canning salmon for commercial purposes within the meaning of this order, but the person who performs such services shall be deemed to be so engaged.

(h) *Audits and inspections.* Every person subject to this order shall, upon the request of the Fishery Coordinator or his duly authorized representative, permit inspections at all reasonable times of the stocks of canned salmon and the facilities used in his business, and shall also make available for inspection and audit all of his books, records, and accounts.

(i) *Records and reports.* Every person subject to this order shall maintain the books, records, and accounts of his business for at least two years after December 31, 1944 (or for such other periods of time as the Fishery Coordinator may provide) and shall execute and file such reports and submit such information as the Fishery Coordinator may deem necessary to accomplish the purpose of this order.

(j) *Violations.* Any person who willfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or willfully conceals a material fact concerning a matter within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, and such further action may be taken against him as the Fishery Coordinator deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. sec. 80) under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws. In addition, employment of more persons than authorized by War Manpower Commission labor ceilings set forth in Schedule A may subject the violator to appropriate action under applicable law and regulations of the War Manpower Commission.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Office of Fishery Coordination, United States Department of the Interior, Washington 25, D. C.

(l) *Fishing regulations.* The provisions of this order are not to be construed as permitting fishing for salmon in violation of any order or regulation promulgated by the Department of the Interior.

(m) *Orders and directions; Deputy Fishery Coordinator.* The Fishery Coordinator, or his representative, may issue such orders and directions as he may deem necessary to accomplish the purposes of this order, and violation of any such order or direction shall be considered a violation of this order. For the purposes of this order the functions, duties, and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator.

(n) *Designated representative.* The Area Coordinator for Alaska is hereby designated as the representative of the Fishery Coordinator to perform any of the functions authorized in this order. In the performance of these functions, he may designate any members of his staff to carry out any specific functions that may be assigned. In any situation where, in the judgment of the Area Coordinator for Alaska, the circumstances do not permit the delay which would otherwise result, Schedule A and the salmon canning license may be amended or extended, or any item thereof altered or deleted by the Area Coordinator for Alaska, in such manner as he shall deem reasonable and advisable to secure maximum

production with a minimum expenditure of critical materials and services: *Provided*, That any changes made in labor quotas contained in Schedule A and in the salmon canning license shall meet with the approval of the War Manpower Commission: *And provided further* That any request for an increase in a non-resident labor quota shall be accompanied by satisfactory evidence that qualified resident labor is not available. Any person claiming to be adversely affected by such amendment may file with the Fishery Coordinator a petition for relief as set out in paragraph (f) pending action on such petition, the amendment by the Area Coordinator for Alaska shall become and remain effective according to its terms.

(o) *Previous order suspended.* The provision of this order shall supersede Order No. 1787 issued by the Secretary of the Interior on March 3, 1943 (8 F.R. 2892-2895) and all amendments thereof.

(p) *Effective date.* This order shall become effective immediately. Issued this 1st day of March 1944.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-3092; Filed, March 2, 1944;
3:03 p. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1944 Dept. Cir. 734]

2½ PERCENT TREASURY BONDS OF 1965-70 ADDITIONAL ISSUE

MARCH 2, 1944.

I. *Exchange offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par with adjustments of accrued interest as shown in the table at the end of this circular, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1965-70, in payment of which any of the following listed securities, singly or in combinations aggregating \$500 or multiples thereof, may be tendered:

Treasury issues:

1½ Treasury Notes of Series B-1944, maturing March 15, 1944

3¼ Treasury Bonds of 1944-46, called for redemption on April 15, 1944

¾ Treasury Notes of Series A-1944, maturing June 15, 1944

Federal Farm Mortgage Corporation issues:

3¼ FPMC Bonds of 1944-46, called for redemption on March 15, 1944

3½ FPMC Bonds of 1944-49, called for redemption on May 15, 1944

Reconstruction Finance Corporation issue:

1½ RFC Notes of Series W, maturing April 15, 1944

Home Owners' Loan Corporation issue:

3½ HOLC Bonds, Series A 1944-52, called for redemption on May 1, 1944

These bonds will not be available for subscription, for their own account, by

commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering under this circular will be limited to the amount of the above-listed bonds and notes tendered and accepted. In addition to the offering under this circular, holders of any of the securities listed, other than commercial banks, are offered the privilege of exchanging all or any part of such securities for 2¼ percent Treasury Bonds of 1956-59, and all holders, including commercial banks, may exchange for 1½ percent Treasury Notes of Series A-1948, which offerings are set forth in Department Circulars Nos. 735 and 736, issued simultaneously with this circular.

II. *Description of bonds.* 1. The bonds now offered will be an addition to and will form a part of the series of 2½ percent Treasury Bonds of 1965-70 issued pursuant to Department Circular No. 729, dated January 18, 1944, will be freely interchangeable therewith, and are identical in all respects therewith. They are dated February 1, 1944, and bear interest from that date at the rate of 2½ percent per annum, payable on a semi-annual basis on September 15, 1944, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1970, but may be redeemed at the option of the United States on and after March 15, 1965, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury. Except as provided in section I of Department Circular No. 729, these bonds may not, before February 1, 1954, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits; however, the

bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before February 1, 1954, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment, provided:

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at _____ for credit on Federal estate taxes due from estate of _____." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date; bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,³ properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to

¹ An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

The transfer books are closed from February 16 to March 15, and from August 16 to September 15 (both dates inclusive) in each year.

³ Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest from February 1, 1944, for bonds allotted hereunder must be made or completed on or before March 15, 1944, or on later allotment. Payment of the principal amount may be made only in the bonds or notes to be exchanged, which will be accepted at par, and should accompany the subscription. Accrued interest on the securities surrendered will be credited, and accrued interest on the new bonds from February 1, 1944, will be charged, as shown in the table at the end of this circular. Where the table shows that an amount will be collected from the subscriber, the remittance should accompany the securities and subscription. Where an amount is to be paid to the subscriber, it will be paid, in the case of coupon bonds and notes, following their acceptance, and in the case of registered bonds, following discharge of registration. Interest accrued on the securities to be exchanged, and on the new bonds to be issued, will be adjusted as of various dates as follows:

Securities To Be Exchanged and Date of Adjustment

Treasury Notes of Series B-1944; March 15, 1944.

FFMC Bonds of 1944-64; March 15, 1944.

RFC Notes of Series W; March 15, 1944.

Treasury Bonds of 1944-46; April 15, 1944.

HOLC Bonds, Series A 1944-52; May 1, 1944.

FFMC Bonds of 1944-49; May 15, 1944.

Treasury Notes of Series A-1944; March 15 or June 15, 1944, as the holder may elect and specify in his subscription.

2. Holders of Treasury Notes of Series B-1944 and FFMC Bonds of 1944-64 will detach coupons dated March 15, 1944, and cash them when due. With respect to the other five issues, all unmatured coupons, including the one next due, must be attached to the securities to be exchanged when they are surrendered, and final interest on these securities, and on registered bonds in all cases, will be paid or credited in a net amount.

V. *Surrender of called bonds*—1. *Coupon bonds.* Treasury Bonds of 1944-46, HOLC Bonds of Series A 1944-52, FFMC Bonds of 1944-49 and FFMC Bonds of 1944-64 in coupon form tendered in payment for bonds offered hereunder should

be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington, D. C. Coupons dated April 15, 1944, May 1, 1944, May 15, 1944, and September 15, 1944, respectively, and all coupons bearing subsequent dates, should be attached to such bonds when surrendered, and if any such coupons are missing, the subscription must be accompanied by cash payment equal to the face amount of the missing coupons. The bonds must be delivered at the expense and risk of the holder. Facilities for transportation of bonds by registered mail insured may be arranged between incorporated banks and trust companies and the Federal Reserve Banks, and holders may take advantage of such arrangements when available, utilizing such incorporated banks and trust companies as their agents.

2. *Registered bonds.* Treasury Bonds of 1944-46, HOLC Bonds of Series A 1944-52, FFMC Bonds of 1944-49 and FFMC Bonds of 1944-64 in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for redemption, in one of the forms hereafter set forth, and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holder. If the new bonds are desired registered in the same name as the bonds surrendered, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1965-70" if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1965-70 in the name of _____" if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1965-70 in coupon form to be delivered to _____".

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

TABLE OF INTEREST ADJUSTMENTS PER \$1,000 IN CONNECTION WITH EXCHANGE OF VARIOUS BONDS AND NOTES FOR 2½% TREASURY BONDS OF 1955-70, DATED FEBRUARY 1, 1944, UNDER DEPARTMENT CIRCULAR NO. 734

| Securities surrendered | Accrued interest to be credited on securities surrendered | Accrued interest to be charged on bonds issued | Net amount to be paid to subscriber | Net amount to be collected from subscriber |
|---|---|--|-------------------------------------|--|
| Exchange as of March 15, 1944: | | | | |
| 1% Treasury Notes, Series B-1944..... | | \$2.9533 | | \$2.9533 |
| 3¼% FFMC Bonds of 1944-64 in coupon form..... | | 2.9533 | | 2.9533 |
| 3¼% FFMC Bonds of 1944-64 in registered form..... | \$10.25 | 8533 | \$13.277 | |
| 1% RFC Notes, Series W..... | 4.15501 | 2.9533 | 1.19771 | |
| ¾% Treasury Notes, Series A-1944..... | 1.59475 | 2.9533 | | 1.63225 |
| Exchange as of April 15, 1944: 3¼% Treasury Bonds of 1944-46..... | 16.25 | 5.05227 | 11.19773 | |
| Exchange as of May 1, 1944: 3% HOLO Bonds, Series A 1944-52..... | 15.00 | 0.14623 | 8.85377 | |
| Exchange as of May 15, 1944: 3% FFMC Bonds of 1944-49..... | 15.00 | 7.09752 | 7.09752 | |
| Exchange as of June 15, 1944: ¾% Treasury Notes, Series A-1944..... | 3.75 | 9.2033 | | 5.4533 |

NOTE: The holder of the securities to be exchanged will be paid or credited with interest at the rate borne by those securities to their respective maturity or redemption dates, except in the case of the RFC notes and, at the holder's option, the Treasury notes of Series A-1944.

[F. R. Doc. 44-3057; Filed, March 2, 1944; 11:45 a. m.]

[1944 Dept. Circ. 735]

2½ PERCENT TREASURY BONDS OF 1956-59 ADDITIONAL ISSUE

MARCH 2, 1944.

I. *Exchange offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par with adjustments of accrued interest as shown in the table at the end of this circular, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1956-59, in payment of which any of the following listed securities, singly or in combinations aggregating \$500 or multiples thereof, may be tendered:

Treasury issues:

- 1% Treasury Notes of Series B-1944, maturing March 15, 1944
- 3¼% Treasury Bonds of 1944-46, called for redemption on April 15, 1944
- ¾% Treasury Notes of Series A-1944, maturing June 15, 1944

Federal Farm Mortgage Corporation issues:

- 3¼% FFMC Bonds of 1944-64, called for redemption on March 15, 1944
- 3% FFMC Bonds of 1944-49, called for redemption on May 15, 1944

Reconstruction Finance Corporation issue:

- 1% RFC Notes of Series W, maturing April 15, 1944

Home Owners' Loan Corporation issue:

- 3% HOLC Bonds, Series A 1944-52, called for redemption on May 1, 1944

These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering under this circular will be limited to the amount of the above-listed bonds and notes tendered and accepted. In addition to the offering under this circular,

holders of any of the securities listed, other than commercial banks, are offered the privilege of exchanging all or any part of such securities for 2½ percent Treasury Bonds of 1956-70, and all holders, including commercial banks, may exchange for 1½ percent Treasury Notes of Series A-1948, which offerings are set forth in Department Circulars Nos. 734 and 736, issued simultaneously with this circular.

II. *Description of bonds.* 1. The bonds now offered will be an addition to and will form a part of the series of 2½ percent Treasury Bonds of 1956-59 issued pursuant to Department Circular No. 730, January 18, 1944, will be freely interchangeable therewith, and are identical in all respects therewith. They are dated February 1, 1944, and bear interest from that date at the rate of 2½ percent per annum, payable on a semiannual basis on September 15, 1944, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature September 15, 1959, but may be redeemed at the option of the United States on and after September 15, 1956, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury. Except as provided in section I of Department Circular No. 730, these bonds may not, before September 15, 1946, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits; however, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before September 15, 1946, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,¹ *Provided:*

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at _____ for credit on Federal estate taxes due from estate of _____." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closing period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;² bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed

¹ An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

² The transfer books are closed from February 16 to March 15, and from August 16 to September 15 (both dates inclusive) in each year.

period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782, properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment at par and accrued interest from February 1, 1944, for bonds allotted hereunder must be made or completed on or before March 15, 1944, or on later allotment. Payment of the principal amount may be made only in the bonds or notes to be exchanged, which will be accepted at par, and should accompany the subscription. Accrued interest on the securities surrendered will be credited, and accrued interest on the new bonds from February 1, 1944, will be charged, as shown in the table at the end of this circular. Where the table shows that an amount will be collected from the subscriber, the remittance should accompany the securities and subscription. Where an amount is to be paid to the subscriber, it will be paid, in the case of coupon bonds and notes, following their acceptance, and in the case of registered bonds, following discharge of registration. Interest accrued on the securities to be exchanged, and on the new bonds to be issued, will be adjusted as of various dates as follows:

* Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

Securities To Be Exchanged and Date of Adjustment

Treasury Notes of Series B-1944; March 15, 1944.

FFMC Bonds of 1944-64; March 15, 1944.

RFC Notes of Series W; March 15, 1944.

Treasury Bonds of 1944-46; April 15, 1944.

HOLC Bonds, Series A 1944-52; May 1, 1944.

FFMC Bonds of 1944-49; May 15, 1944.

Treasury Notes of Series A-1944; March 15 or June 15, 1944, as the holder may elect and specify in his subscription.

2. Holders of Treasury Notes of Series B-1944 and FFMC Bonds of 1944-64 will detach coupons dated March 15, 1944, and cash them when due. With respect to the other five issues, all unmatured coupons, including the one next due, must be attached to the securities to be exchanged when they are surrendered, and final interest on these securities, and on registered bonds in all cases, will be paid or credited in a net amount.

V. Surrender of called bonds.—1. Coupon bonds. Treasury Bonds of 1944-46, HOLC Bonds of Series A 1944-52, FFMC Bonds of 1944-49 and FFMC Bonds of 1944-64 in coupon form tendered in payment for bonds offered hereunder should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington, D. C. Coupons dated April 15, 1944, May 1, 1944, May 15, 1944, and September 15, 1944, respectively, and all coupons bearing subsequent dates, should be attached to such bonds when surrendered, and if any such coupons are missing, the subscription must be accompanied by cash payment equal to the face amount of the missing coupons. The bonds must be delivered at the expense and risk of the holder. Facilities for transportation of bonds by registered mail insured may be arranged between incorporated banks and trust companies and the Federal Reserve Banks, and holders may take advantage of such arrangements when available, utilizing such incorporated banks and trust companies as their agents.

2. Registered bonds. Treasury Bonds of 1944-46, HOLC Bonds of Series A 1944-

52, FFMC Bonds of 1944-49 and FFMC Bonds of 1944-64 in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for redemption, in one of the forms hereafter set forth, and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holder. If the new bonds are desired registered in the same name as the bonds surrendered, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1956-59" if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1956-59 in the name of-----". If new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1956-59 in coupon form to be delivered to -----".

VI. General provisions. 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

TABLE OF INTEREST ADJUSTMENTS PER \$1,000 IN CONNECTION WITH EXCHANGE OF VARIOUS BONDS AND NOTES FOR 2½% TREASURY BONDS OF 1956-59, DATED FEBRUARY 1, 1944, UNDER DEPARTMENT CIRCULAR NO. 735

| Securities surrendered | Accrued interest to be credited on securities surrendered | Accrued interest to be charged on bonds issued | Net amount to be paid to subscriber | Net amount to be collected from subscriber |
|--|---|--|-------------------------------------|--|
| Exchange as of March 15, 1944: | | | | |
| 1% Treasury Notes, Series B-1944 | | \$2.65797 | | \$2.65797 |
| 3½% FFMO Bonds of 1944-64 in coupon form | | 2.65797 | | 2.65797 |
| 3½% FFMO Bonds of 1944-64 in registered form | \$16.25 | 2.65797 | \$13.59203 | |
| 1% RFC Notes, Series W | 4.15301 | 2.65797 | 1.49504 | |
| 3½% Treasury Notes, Series A-1944 | 1.56475 | 2.65797 | | .79322 |
| Exchange as of April 15, 1944: 3½% Treasury Bonds of 1944-46 | 16.25 | 4.53335 | 11.69665 | |
| Exchange as of May 1, 1944: 3% HOLC Bonds, Series A 1944-52 | 15.00 | 5.53161 | 9.46839 | |
| Exchange as of May 15, 1944: 3% FFMO Bonds of 1944-49 | 15.00 | 6.38759 | 8.61241 | |
| Exchange as of June 15, 1944: ¾% Treasury Notes, Series A-1944 | 3.75 | 8.28297 | | 4.53207 |

NOTE: The holder of the securities to be exchanged will be paid or credited with interest at the rate borne by those securities to their respective maturity or redemption dates, except in the case of the RFC notes and, at the holder's option, the Treasury notes of series A-1944.

[F. R. Doc. 44-3056; Filed, March 2, 1944; 11:45 a. m.]

[1944 Dept. Circ. 736]

1½ PERCENT TREASURY NOTES OF SERIES A-1948

EXCHANGE OFFERING OF NOTES

MARCH 2, 1944.

I. Exchange offering of notes. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par with adjustments of accrued interest as shown in the table at the end of this circular, from the people of the United States for notes of the United States, designated 1½ percent Treasury Notes of Series A-1948, in payment of which any of the following listed securities, singly or in combinations aggregating \$1,000 or multiples thereof, may be tendered:

Treasury issues:

- 1% Treasury Notes of Series B-1944, maturing March 15, 1944.
- 3¼% Treasury Bonds of 1944-46, called for redemption on April 15, 1944.
- ¾% Treasury Notes of Series A-1944, maturing June 15, 1944.

Federal Farm Mortgage Corporation issues:

- 3¼% FFMC Bonds of 1944-64, called for redemption on March 15, 1944.
- 3% FFMC Bonds of 1944-49, called for redemption on May 15, 1944.

Reconstruction Finance Corporation issue:

- 1% RFC Notes of Series W, maturing April 15, 1944.

Home Owners' Loan Corporation issue:

- 3% HOLC Bonds, Series A 1944-52, called for redemption on May 1, 1944.

The amount of the offering under this circular will be limited to the amount of the above-listed bonds and notes tendered and accepted. In addition to the offering under this circular, holders of any of the securities listed, other than commercial banks, which are defined for this purpose as banks accepting demand deposits, are offered the privilege of exchanging all or any part of such securities for 2½ percent Treasury Bonds of 1965-70 or for 2¼ percent Treasury Bonds of 1956-59, which offerings are set forth in Department Circulars Nos. 734 and 735, issued simultaneously with this circular.¹

II. Description of notes. 1. The notes will be dated March 15, 1944, and will bear interest from that date at the rate of 1½ percent per annum, payable semi-annually on September 15, 1944, and thereafter on March 15 and September 15 in each year until the principal

amount becomes payable. They will mature September 15, 1948, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the Treasury in payment of income and profits taxes payable at the maturity of the notes.

4. The notes will be acceptable to secure deposits of public moneys.

5. Bearer notes with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The notes will not be issued in registered form.

6. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment at par and accrued interest, if any, for notes allotted hereunder must be made or completed on or before March 15, 1944, or on later allotment. Payment of the principal amount may be made only in the bonds or notes to be exchanged, which will be accepted at par, and should accompany the subscription. Accrued interest on the securities surrendered will be credited, and accrued interest on the new notes from March 15, 1944, will be charged, as shown in the table at the end of this circular. Where an amount is to be paid to the subscriber, it will be paid, in the case of coupon bonds and notes, following their acceptance, and in the case of registered bonds, following discharge of registration. Interest accrued on the securities to be exchanged, and on the new notes to be issued, will be adjusted as of various dates as follows:

Securities To Be Exchanged and Date of Adjustment

Treasury Notes of Series B-1944, March 15, 1944.

FFMC Bonds of 1944-64, March 15, 1944.

RFC Notes of Series W, March 15, 1944.

Treasury Bonds of 1944-46, April 15, 1944.

HOLC Bonds, Series A 1944-52, May 1, 1944.

FFMC Bonds of 1944-49, May 15, 1944.

Treasury Notes of Series A-1944, March 15 or June 15, 1944, as the holder may elect and specify in his subscription.

2. Holders of Treasury Notes of Series B-1944 and FFMC Bonds of 1944-64 will detach coupons dated March 15, 1944, and cash them when due. With respect to the other five issues, all unmatured coupons, including the one next due, must be attached to the securities to be exchanged when they are surrendered, and final interest on these securities, and on registered bonds in all cases, will be paid or credited in a net amount.

V. Surrender of called bonds—1. Coupon bonds. Treasury Bonds of 1944-46, HOLC Bonds of Series A 1944-52, FFMC Bonds of 1944-49 and FFMC Bonds of 1944-64 in coupon form tendered in payment for notes offered hereunder should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington, D. C. Coupons dated April 15, 1944, May 1, 1944, May 15, 1944, and September 15, 1944, respectively, and all coupons bearing subsequent dates, should be attached to such bonds when surrendered, and if any such coupons are missing, the subscription must be accompanied by cash payment equal to the face amount of the missing coupons. The bonds must be delivered at the expense and risk of the holder. Facilities for transportation of bonds by registered mail insured may be arranged between incorporated banks and trust companies and the Federal Reserve Banks, and holders may take advantage of such arrangements when available, utilizing such incorporated banks and trust companies as their agents.

2. **Registered bonds.** Treasury Bonds of 1944-46, HOLC Bonds of Series A 1944-52, FFMC Bonds of 1944-49 and FFMC Bonds of 1944-64 in registered form tendered in payment for notes offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for redemption, to "The Secretary of the Treasury for exchange for Treasury Notes of Series A-1948 to be delivered to _____" and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holder.

Supra.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions

allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

T. 18 S., R. 44 E.,
Sec. 8, SW¼.

Respectfully.

H. W. BASHORE,
Commissioner

I concur: February 12, 1944.

FRED W. JOHNSON,
Commissioner of the General
Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 17, 1944.

[F. R. Doc. 44-3118; Filed, March 3, 1944;
9:56 a. m.]

TABLE OF INTEREST ADJUSTMENTS PER \$1,000 IN CONNECTION WITH EXCHANGE OF VARIOUS BONDS AND NOTES FOR 1½% TREASURY NOTES OF SERIES A-1948, DATED MARCH 15, 1944, UNDER DEPARTMENT CIRCULAR NO. 736

| Securities surrendered | Accrued interest to be credited on securities surrendered | Accrued interest to be charged on notes issued | Net amount to be paid to subscriber | Net amount to be collected from subscriber |
|---|---|--|-------------------------------------|--|
| Exchange as of March 15, 1944: | | | | |
| 1% Treasury Notes, Series B-1944..... | | | | |
| 3½% FFMO Bonds of 1944-64 in coupon form..... | \$16.25 | | \$16.25 | |
| 3½% FFMO Bonds of 1944-64 in registered form..... | 4.15301 | | 4.15301 | |
| 1% RFC Notes, Series V..... | 1.86475 | | 1.86475 | |
| Exchange as of April 15, 1944: 3½% Treasury Bonds of 1944-46..... | | | | |
| Exchange as of May 1, 1944: 3% HOLC Bonds, Series A 1944-52..... | 16.25 | \$1.26359 | 14.98641 | |
| Exchange as of May 15, 1944: 3% FFMO Bonds of 1944-49..... | 15.00 | 1.91576 | 13.08424 | |
| Exchange as of June 15, 1944: ¾% Treasury Notes, Series A-1941..... | 15.00 | 2.48641 | 12.51359 | |
| | 3.75 | 3.75 | | |

NOTE: The holder of the securities to be exchanged will be paid or credited with interest at the rate borne by those securities to their respective maturity or redemption dates, except in the case of the RFC notes and, at the holder's option, the Treasury notes of series A-1944.

[F. R. Doc. 44-3058; Filed, March 2, 1944;
11:45 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

VALE PROJECT, OREG.

PARTIAL REVOCATION OF LAND WITHDRAWAL

DECEMBER 15, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Vale Project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388) by departmental orders of December 14, 1926, March 18, 1929, and April 2, 1930, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the land hereinafter listed be revoked; *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the land hereinafter listed.

VALE PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 19 S., R. 37 E.,
Sec. 1;
Sec. 2, N½,
Sec. 3, N½NE¼, SE¼NE¼,

Sec. 4, W½, W½SE¼,
Sec. 11, E½NE¼, SW¼NE¼, SE¼,
Sec. 14, E½,
Sec. 22;
Sec. 27, E½NE¼, NE¼NW¼, E½SW¼,
NE¼SE¼,
Sec. 34, SE¼NE¼, W½W½, SE¼SE¼,
T. 20 S., R. 37 E.,
Sec. 2, SW¼NW¼,
Sec. 3, NE¼NE¼, NW¼NW¼, N½SE¼,
SW¼SE¼,
Sec. 4, SW¼NE¼, W½SE¼,
Sec. 10, SE¼SW¼,
Sec. 15, NE¼NW¼, SE¼SW¼,
Sec. 22, W½NE¼, E½NW¼, NE¼SW¼,
T. 19 S., R. 41 E.,
Secs. 22, 23 and 24;
Sec. 26, W½E½, W½,
T. 20 S., R. 41 E.,
Sec. 1, W½NW¼,
Sec. 2, E½,
Sec. 23, W½NW¼, E½SE¼;
Sec. 24, S½NW¼,
Sec. 26, NE¼, E½SW¼, SW¼SW¼,
Sec. 27, N½NW¼, SW¼NW¼, SE¼SE¼,
Sec. 28, S½,
Sec. 31, NE¼,
Sec. 32, N½NW¼,
Sec. 33, E½SW¼, SW¼SW¼,
T. 21 S., R. 41 E.,
Sec. 5, E½NW¼, SW¼NW¼,
Sec. 6, W½NE¼, NW¼,
T. 19 S., R. 42 E.,
Sec. 13, W½NE¼, W½,
Sec. 22, N½S½,
Sec. 24, W½NW¼;
Sec. 34,
T. 16 S., R. 43 E.,
Sec. 4, E½NE¼,
T. 18 S., R. 43 E.,
Sec. 31, N½, SW¼,
Sec. 32, N½N½, SW¼NW¼,
T. 19 S., R. 43 E.,
Sec. 4, W½E½, W½,
Sec. 5, E½,
Sec. 6, W½,
Sec. 7, NW¼, N½SW¼,
Sec. 8;
Sec. 17, W½.

HASSAYAMPA PROJECT, ARIZ.

PARTIAL REVOCATION OF LAND WITHDRAWAL

DECEMBER 31, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Hassayampa project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388) by departmental order of July 25, 1941, no longer appears necessary to the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

HASSAYAMPA PROJECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 4 N., R. 4 W.,
Sec. 4, W½,
Sec. 7;
Sec. 8, NE¼, S½,
Secs. 9, 10 and 11;
Sec. 12, N½,
Secs. 15, 17 and 18.

T. 6 N., R. 4 W.,
Sec. 22;
Sec. 25, E½;
Sec. 27, W½E½, W½;
Sec. 34, N½, N½SW¼, SW¼SW¼, SE¼.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 16, 1944.

FRED W. JOHNSON,
*Commissioner of the General
Land Office.*

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 22, 1944.

[F. R. Doc. 44-3121; Filed, March 3, 1944;
9:57 a. m.]

MINIDOKA PROJECT, IDAHO

PARTIAL REVOCATION OF LAND WITHDRAWAL

JANUARY 12, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Minidoka project, the withdrawal of the hereinafter described land, withdrawn in the second form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental order of November 17, 1902, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the land hereinafter listed.

MINIDOKA PROJECT
BOISE MERIDIAN, IDAHO

T. 10 S., R. 23 E.,
Sec. 17, lot 4.

Respectfully.

H. W. BASHORE,
Commissioner.

No. 46—3

I concur: February 19, 1944.

FRED W. JOHNSON,
*Commissioner of the General
Land Office.*

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 22, 1944.

[F. R. Doc. 44-3122; Filed, March 3, 1944;
9:57 a. m.]

SUN RIVER PROJECT, MONT.

FIRST FORM WITHDRAWAL

JANUARY 13, 1944.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described land be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

SUN RIVER PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 22 N., R. 4 W.,
Sec. 25, SE¼SW¼.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 14, 1944.

FRED W. JOHNSON,
*Commissioner of the General
Land Office.*

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 18, 1944.

[F. R. Doc. 44-3120; Filed, March 3, 1944;
9:56 a. m.]

SUN RIVER PROJECT, MONT.

FIRST FORM WITHDRAWAL

JANUARY 13, 1944.

The SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

SUN RIVER PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 21 N., R. 9 W.,
Sec. 8, NW¼NE¼, N¼NW¼, unurveyed.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 14, 1944.

FRED W. JOHNSON,
*Commissioner of the General
Land Office.*

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 18, 1944.

[F. R. Doc. 44-3119; Filed, March 3, 1944;
9:56 a. m.]

Office of the Secretary.

[Order 1922]

DIRECTOR OF THE WAR RELOCATION AUTHORITY

DELEGATION OF AUTHORITY

FEBRUARY 16, 1944.

The Director of the War Relocation Authority is hereby authorized, under the supervision and direction of the Secretary of the Interior, to perform the functions transferred to the Secretary of the Interior by Executive Order No. 9423, of February 16, 1944 (9 F.R. 1903), until the further order of the Secretary.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-3125; Filed, March 3, 1944;
9:57 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 4]

ASANO & COMPANY OF NEW YORK, INC.

Whereas by Vesting Order No. 64, dated July 28, 1942 (7 Fed. Reg. 7045, September 5, 1942), the undersigned vested all of the issued and outstanding shares of the capital stock of Asano & Company of New York, Inc., a New York corporation, and undertook the direction, management, supervision and control of said corporation; and

Whereas Asano & Company of New York, Inc., has been substantially liquidated under the supervision of the undersigned,

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that there are no known creditors or liabilities of, or any tax claims, either State or Federal, against Asano & Company of New York, Inc. unpaid; and
2. Finding that Messrs. D. W. Pratt, E. W. Hardy and Martin S. Watts are the directors of Asano & Company of New York, Inc., and that the officers are: D. W. Pratt, President; E. W. Hardy, Secretary; Martin S. Watts, Treasurer; and
3. Determining that it is in the national interest of the United States to dissolve the

said corporation and to distribute the corporate assets, and a certificate of dissolution having been filed with the Secretary of State of the State of New York:

It is ordered, That the officers and directors of Asano & Company of New York, Inc. above-named continue the proceedings for the dissolution of Asano & Company of New York, Inc. in accordance with the statutes of the State of New York in such cases made and provided: *And it is further ordered*, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(b) They shall then pay all known taxes and fees of the United States and of the State of New York accruing against said corporation; and

(c) They shall then distribute and pay over to the undersigned as the holder of all the outstanding and issued stock of the corporation, all other funds and property, if any, remaining in their hands after the payments as aforesaid:

And it is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation, *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of the State of New York:

And it is ordered, That all actions taken and acts done by the officers and directors of Asano & Company of New York, Inc., above-named, pursuant to this order and the directions contained herein shall be deemed to have been taken in reliance on and pursuant to subdivision 2 of section 5 (b) of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., February 23, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3037; Filed, March 2, 1944;
11:07 a. m.]

[Dissolution Order 5]

HARA CORPORATION

Whereas by Vesting Order No. 53, dated July 22, 1942 (7 F.R. 5740, July 28, 1942) and as amended November 10, 1943 (8 F.R. 15615, November 15, 1943) and Vesting Order No. 714 dated January 18, 1943 (8 F.R. 2451, February 26,

1943), the undersigned vested all of the issued and outstanding shares of the capital stock of Hara Corporation, a New York Corporation, and undertook the direction, management, supervision and control of said corporation; and

Whereas Hara Corporation has been substantially liquidated under the supervision of the undersigned,

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that there are no known creditors or liabilities of, or any tax claims, either State or Federal, against Hara Corporation unpaid; and

2. Finding that Messrs. M. S. Watts, D. W. Pratt and Milton Yanowich are the directors of Hara Corporation and that its officers are: M. S. Watts, president and treasurer, E. W. Pratt, secretary; and

3. Determining that it is in the national interest of the United States to dissolve the said corporation and to distribute the corporate assets, and a certificate of dissolution having been filed with the Secretary of State of the State of New York;

It is ordered, That officers and directors of Hara Corporation above-named continue the proceedings for the dissolution of Hara Corporation in accordance with the statutes of the State of New York in such cases made and provided;

It is further ordered, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(b) They shall then pay all known taxes and fees of the United States and of the State of New York accruing against said corporation; and

(c) They shall then distribute and pay over to the undersigned as the holder of all the outstanding and issued stock of the corporation, all other funds and property, if any, remaining in their hands after the payments as aforesaid;

And it is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as stockholders as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of the State of New York;

And it is ordered, That all actions taken and acts done by officers and directors of Hara Corporation, above-named, pursuant to this order and the directions contained herein shall be

deemed to have been taken in reliance on and pursuant to subdivision 2 of section 5 (b) of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., on February 23, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3038; Filed, March 2, 1944;
11:07 a. m.]

[Vesting Order 2080]

HUGO STINNES CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of Hugo Stinnes Corporation, a corporation organized and doing business under the laws of the State of Maryland, and a business enterprise within the United States, consisting of 1,000,000 shares of common, having a par value of \$5 each, 530,145 shares (53.01%) are registered in the names of the persons listed below in the number appearing opposite each name and are evidence of control of said business enterprise:

Name and Number of Shares

| | |
|---|---------|
| Karl Fehrmann..... | 25 |
| Ferdinand Lincke..... | 75 |
| Gustav Pilster..... | 150 |
| Familie Spindler G. m. b. H..... | 105 |
| Gewerkschaft Mathias Stinnes..... | 6,350 |
| Cläre Stinnes-Wagenknecht..... | 1,050 |
| Konrad von Jiberg..... | 1,000 |
| Franz Heinrich Witthoefft..... | 2,890 |
| N. V. Edmund Wagenknecht's Handelsmaatschappij..... | 45,400 |
| Hugo Stinnes, Jr., F. H. Saunders and Stanley Clarke, as Voting Trustees..... | 473,100 |
| Total..... | 530,145 |

2. That of the issued and outstanding voting trust certificates representing 495,007 shares of the common stock of Hugo Stinnes Corporation, voting trust certificates representing 473,100 shares are registered in the names of the persons listed below in the number appearing opposite each name and are evidence of control of said business enterprise:

| | Shares |
|----------------------------------|---------|
| W. B. Barrett..... | 6,100 |
| Atlantic Assets Corporation..... | 467,000 |
| Total..... | 473,100 |

the voting trust certificates registered in the name of W. B. Barrett and voting trust certificates representing 67,000 shares registered in the name of Atlantic Assets Corporation being beneficially owned by N. V. Edmund Wagenknecht's Handelsmaatschappij;

3. That the following named persons, whose last known addresses are stated below, are nationals of a designated enemy country (Germany):

Name and Last Known Address

Karl Fehrmann, Charlottenstrasse 46, Berlin W. 8, Germany.
Ferdinand Lincke, Ness 9, Hamburg, Germany.

Gustav Pilster, Behrenstrasse 46-48, Berlin, Germany.

Familie Spindler G. m. b. H., Essen, Germany.

Gewerkschaft Mathias Stinnes, Essen-Ruhr, Germany.

Cläre Stinnes-Wagenknecht, c/o Hugo Stinnes, Schlossstrasse 10, Muelheim-Ruhr, Germany.

Konrad von Jiberg, Bendlerstrasse 9, Berlin W. 10, Germany.

Franz Heinrich Witthoefft, Alsterdamm 1-3, Hamburg, Germany.

4. That N. V. Edmund Wagenknecht's Handelsmaatschappij, whose principal place of business is located at Heerengracht 256, Amsterdam, Holland, is a corporation organized under the laws of The Netherlands, and is controlled by and acting or purporting to act directly or indirectly for the benefit or on behalf of Mrs. Hugo Stinnes, Sr. (Cläre Stinnes-Wagenknecht);

5. That Atlantic Assets Corporation, whose principal place of business is located at 420 Lexington Avenue, New York, New York, is a Delaware corporation and is controlled by Mrs. Hugo Stinnes, Sr., or by Mrs. Hugo Stinnes, Sr., and Hugo Stinnes, Jr., Otto Stinnes, Ernst Stinnes, and Hilde Fiedler, children of Hugo Stinnes, Sr., all nationals of Germany;

and determining:

6. That N. V. Edmund Wagenknecht's Handelsmaatschappij is controlled by or acting for or on behalf of Mrs. Hugo Stinnes, Sr., and is a national of a designated enemy country (Germany);

7. That Atlantic Assets Corporation is controlled by Mrs. Hugo Stinnes, Sr., or by Mrs. Hugo Stinnes, Sr., and Hugo Stinnes, Jr., Otto Stinnes, Ernst Stinnes, and Hilde Fiedler, and is a national of a designated enemy country (Germany);

8. That Hugo Stinnes Corporation is controlled by persons within a designated enemy country (Germany) and is a national thereof;

9. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 503,145 shares of \$5 par value common capital stock of Hugo Stinnes Corporation and the 473,100 Voting Trust Certificates of Hugo Stinnes Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 2, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3022; Filed, March 2, 1944;
11:07 a.m.]

[Vesting Order 3169]

KATALIN CSEH

In re: Estate of Katalin Cseh, deceased; File D-34-637; E. T. sec. 7209.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein described are property which is in the process of administration by Paul Pecz, as Executor, acting under the judicial supervision of the Bergen County Orphans' Court, Bergen County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Josephine Fodor, Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Josephine Fodor, in and to the estate of Katalin Cseh, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3023; Filed, March 2, 1944;
11:07 a.m.]

[Vesting Order 3169]

KURT GUTMANN

In re: In the matter of Kurt Gutmann, an incompetent; File F-28-1018; E. T. sec. 5586.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein described are property which is in the process of administration by Bruno Gutmann, Ancillary Committee, acting under the judicial supervision of the Supreme Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Kurt Gutmann, Jued. Dauerheim, Berlin-Weissenhof, 10 Woerthstr, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Kurt Gutmann of any nature whatsoever in the possession of Bruno Gutmann, as Ancillary Committee of the estate of Kurt Gutmann, an incompetent,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3024; Filed, March 2, 1944;
11:07 a. m.]

[Vesting Order 3191]

ROBERT GUTMANN

In re: In the matter of Robert Gutmann, an incompetent; File F-28-1018; E. T. sec. 5586.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bruno Gutmann, Ancillary Committee, acting under the judicial supervision of the Supreme Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Robert Gutmann, Jued. Dauerheim, Berlin-Weissensee, 10 Woerthstr, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests,

All the property and Estate of Robert Gutmann of any nature whatsoever in the possession of Bruno Gutmann, as Ancillary Committee of the Estate of Robert Gutmann, an incompetent,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3025; Filed March 2, 1944;
11:07 a. m.]

[Vesting Order 3192]

JOHANNES MEYER

In re: Estate of Johannes Meyer, deceased; File D-66-606; E. T. sec. 4421.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Chemical Bank & Trust Company, 165 Broadway, New York City, and Margaret A. Weber, 621 Third Street, Brooklyn, New York, Executors, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Meyer, Germany.
Johannes Franck, Germany.
Elizabeth Meyer, Germany.
Otilie Meyer, Germany.
Anna Marie Franck, Germany.
Martin Franck, Germany.
Siegfried Franck, Germany.
Walter Franck, Germany.
Johanna Franck, Germany.
Helen Bruch, Germany.
Wilhelm Vogel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Meyer, Johannes Franck, Elizabeth Meyer, Otilie Meyer, Anna Marie Franck, Martin Franck, Siegfried Franck, Walter Franck, Johanna Franck, Helen Bruch and Wilhelm Vogel, and each of them, in and to the estate of Johannes Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3026; Filed, March 2, 1944;
11:08 a. m.]

[Vesting Order 3193]

FRIEDA KOEHLER

In re: Mortgage Participation Certificate No. N143105 of Series F-729 MC

issued by Bond and Mortgage Guarantee Company under Guarantee No. 170,839 to Frieda Koehler, in the amount of \$581.37; File D-28-2552; E. T. sec. 7085.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Frieda Koehler, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frieda Koehler, in and to the Mortgage Participation Certificate No. N143105 of Series F-729MC in the amount of \$581.37, issued by Bond and Mortgage Guarantee Company under Guarantee No. 170,839,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3027; Filed, March 2, 1944;
11:08 a. m.]

[Vesting Order 3194]

JACOB J. NEWMAN

In re: Trust under deed of Jacob J. Newman, dated May 6, 1924; File No. F-28-12883; E. T. sec. 1283.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Union & New Haven Trust Company, 205 Church Street, New Haven, Connecticut, as Successor Trustee, under a Deed of Trust executed by Jacob J. Newman, dated May 6, 1924, acting under the judicial supervision of the Court of Probate of the State of Connecticut, in and for the District of New Haven; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rosie Hetsch Lund (referred to in Deed of trust as Rosie Hetsch), Germany.

The children of Rosie Hetsch Lund, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rosie Hetsch Lund (referred to in the Deed of Trust as Rosie Hetsch) and the children of Rosie Hetsch Lund, and each of them, in and to the trust created by a deed of trust of Jacob J. Newman, dated May 6, 1924,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3028; Filed, March 2, 1944;
11:03 a. m.]

[Vesting Order 3195]

FRANZ SCHUTZLE

In re: Estate of Franz Schutzle, also known as Franz Schützle and Franz Schuetzle, deceased; File D-28-3607; E. T. sec. 5247.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depository, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Walter, Germany.
Marie Kischling, Germany.
Robert Dauber, Germany.
Frederick Dauber, Germany.
Wilhelm Dauber, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Karl Walter, Marie Kischling, Robert Dauber, Frederick Dauber, and Wilhelm Dauber, and each of them, in and to the Estate of Franz Schutzle, also known as Franz Schützle and Franz Schuetzle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3029; Filed, March 2, 1944;
11:09 a. m.]

[Vesting Order 3200]

ROSIE BERNHEIMER

In re: Trust under the Will of Rosie Bernheimer, deceased; File D-28-5207; E. T. sec. 1464.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Fifth Avenue Bank of New York, and Howard L. Goodhart, as trustees, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gerta Metz, Belgium.

Peter Metz, Belgium.

Anna B. Reinach, Germany.

Ernst Bernheimer, Germany.

Lise Rheinstrom, Germany.

Karl Rheinstrom, also known as Inge Rheinstrom, Germany.

Karl Bernheimer, Germany.

And their issue, whose names are unknown, Germany.

And determining that—

(3) Gerta Metz and Peter Metz, citizens or subjects of a designated enemy country, Germany, and within an enemy occupied area, Belgium, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gerta Metz, Peter Metz, Anna B. Reinach, Ernst Bernheimer, Lise Rheinstrom, Karl Rheinstrom, also known as Inge Rheinstrom, Karl Bernheimer, and their issue, whose names are unknown, and each of them, in and to the trust created under the will of Rosie Bernheimer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3030; Filed, March 2, 1944;
11:09 a. m.]

[Vesting Order 3201]

JOHN CHRISTOFF

In re: Estate of John Christoff, deceased; File D-11-16; E. T. sec. 2669.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Steve Slavoff, Administrator, acting under the judicial supervision of the Circuit Court of Multnomah County, Portland, Oregon;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Bulgaria, namely,

Nationals and Last Known Address

Tanu Christoff Abazoff Abadjieff, Bulgaria.
Nanka Christova Abazova Taneva, Bulgaria.
Ganka Christova Abazova Kamberova, Bulgaria.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tanu Chris-

toff Abazoff Abadjieff, Nanka Christova Abazova Taneva and Ganka Christova Abazova Kamberova, and each of them, in and to the Estate of John Christoff, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3031; Filed, March 2, 1944;
11:09 a. m.]

[Vesting Order 3202]

JULIUS FORSTMANN

In re: Trust under the will of Julius Forstmann, deceased, for the benefit of Elizabeth Rennau. File D-49-74; E. T. sec. 1905.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Adolphe Forstmann and Curt E. Forstmann, executors and trustees, acting under the judicial supervision of the Surrogate's Court, Ulster County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elizabeth Rennau, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Rennau, under the Third Article of the Will of Julius Forstmann, including the right of the said Elizabeth Rennau to request and receive up to, but not in excess of \$6,000 during any one year, as provided in the Third Article of the Will of the said Julius Forstmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3032; Filed, March 2, 1944;
11:09 a. m.]

[Vesting Order 3203]

SETSUKE FURUHAMA

In re: Guardianship estate of Setsuko Furuhamu, Minor; File: D-39-17344; E. T. sec. 9231 (H-107).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Setsuko Furuhamu, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Setsuko Furuhamu in and to the Guardianship Estate of Setsuko Furuhamu, Minor, in the possession of Arthur E. Restarick, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3033; Filed, March 2, 1944;
11:09 a. m.]

[Vesting Order 3204]

MARGARET GERSTACKER

In re: Estate of Margaret Gerstacker, deceased; File: D-28-8240; E. T. sec. 9355.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Hans Gerstacker, Executor, acting under the judicial supervision of the District Court of the Third Judicial District of the State of Montana, in and for the County of Powell;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans Rohrer, Germany.

Wife, name unknown, of Hans Rohrer, Germany.

Children, names unknown, of Hans Rohrer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hans Rohrer, Wife, name unknown, of Hans Rohrer, and Children, names unknown, of Hans Rohrer, and each of them in and to the sum of Five Hundred Dollars (\$500.00) bequeathed to Deer Lodge Bank & Trust Company of Deer Lodge, Montana, as Trustee, by and under the will of Margaret Gerstacker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3034; Filed, March 2, 1944;
11:10 a. m.]

[Vesting Order 3205]

KARIN HOUCKANSON

In re: Estate of Karin Houckanson, deceased; File: (D-28-8380; E. T. sec. 9724).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by S. M. Cook, Executor, acting under the judicial supervision of the District Court of the Sixth Judicial District

of the State of Montana, in and for the County of Gallatin;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mathilda Bollmejer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mathilda Bollmejer in and to the Estate of Karin Hougkanson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3035; Filed, March 2, 1944;
11:10 a. m.]

[Vesting Order 3206]

ERNST M. JAFFE

In re: Trust under the Will of Ernst M. Jaffe, deceased; File D-28-7373; E. T. sec. 7545.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process

of administration by The First National Bank of Chicago, 38 South Dearborn Street, Chicago, Illinois, Executor and Trustee, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Miss Elsbeth Fraenkel, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Miss Elsbeth Fraenkel, in and to the trust estate created under the Last Will and Testament of Ernst M. Jaffe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3036; Filed, March 2, 1944;
11:10 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Order 47 Under RMPR 122, Amdt. 5]

SOLID FUELS IN WASHINGTON AREA AND ALEXANDRIA, VA.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 5 to Revised Order No. 47 under Revised Maximum Price Regu-

lation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the Washington Area and Alexandria, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Revised Order No. 47 be amended in the following respect:

1. The maximum prices set forth in Revised Order No. 47 for all sales of all sizes of Pennsylvania anthracite may be increased from and after February 1, 1944 by 45 cents per net ton or by 50 cents per gross ton.

This amendment shall become effective as of March 1, 1944 and shall become void March 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3098; Filed, March 2, 1944;
4:52 p. m.]

[Order 158 Under MPR 136, as Amended]

GENERAL MOTORS CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 158, under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Chevrolet Motor Division, General Motors Corporation, Docket No. 3136-389.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is hereby ordered:*

(a) Chevrolet Motor Division, General Motors Corporation, General Motors Building, Detroit 2, Michigan, is authorized to sell to resellers, f. o. b. Chevrolet Motor Division, General Motors Corporation, Flint, Michigan, each of the following motor trucks, manufactured on and after August 12, 1943, at a price not to exceed its "Net wholesale price" in effect on March 31, 1942, to that class of purchaser, plus the following applicable allowance:

| Model No. | Description | Allowance |
|-----------|--|-----------|
| 4103 | UCAB-134½" Utility chassis and cab | \$140.00 |
| 4403 | ULCAB-160" Utility chassis and cab | |
| 4409 | ULSTEK-160" Utility chassis, cab, and stake body | 175.00 |

(b) Resellers of Chevrolet motor trucks may sell, f. o. b. place of business, each Chevrolet motor truck of a model described in paragraph (a) at a price not to exceed the total of the following:

(1) The manufacturer's suggested "Retail list price", f. o. b. Chevrolet

Motor Division, General Motors Corporation, Flint, Michigan, in effect on March 31, 1942, for the truck model, subject to the discounts in effect on that date to the applicable class of purchaser.

(2) The allowance stated below which is applicable to the truck model:

| Model No.: | Allowance |
|------------|-----------|
| 4103 | \$140 |
| 4403 | 135 |
| 4409 | 175 |

(3) Prices not to exceed applicable maximum prices for all extra, special, and optional equipment.

(4) Actual freight-in expense.

(5) The reseller's actual expense for handling and delivery, not to exceed applicable maximum prices.

(6) The reseller's actual expense incurred in connection with federal, state, and local taxes on his purchase, and sale, or delivery, of the truck.

(c) All requests in the application not granted in this order are denied.

(d) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective March 2, 1944.

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3099; Filed, March 2, 1944;
4:53 p. m.]

[RPS 41, Amdt. 4 to Rev. Order 19]

LOCOMOTIVE CAB TURRET, FRAME END AND
FRAME RAIL CASTINGS

AUTHORIZATION OF DELIVERY

Amendment No. 4 to Revised Order No. 19 under Revised Price Schedule No. 41. Steel castings and railroad specialties.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The first sentence of paragraph (a) of Revised Order No. 19 is amended to read as follows:

(a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41 producers of miscellaneous freight car castings may, on and after July 31, 1943, deliver, or agree to deliver miscellaneous freight car castings and may, on and after June 10, 1943, deliver, or agree to deliver locomotive cab turret, frame end and frame rail castings at prices to be adjusted in accordance with action, if any, which is taken by the Office of Price Administration after delivery and effective prior to January 16, 1944.

This amendment No. 4 become effective immediately and is retroactive to September 30, 1943.

(Pub. Laws 1421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3100; Filed, March 2, 1944;
4:53 p. m.]

No. 46—4

Regional and District Office Orders.

[Region I Order G-11 Under RMPR 122,
Amdt. 3]

SOLID FUELS IN LAWRENCE, MASS., AREA

Amendment No. 3 to Order No. G-11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lawrence, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-11 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

3. In Price Schedule III in paragraph (d) (1), the words "(except Red Ash Broken, Egg, Stove and Chestnut)", following the words "Pennsylvania anthracite", are deleted.

4. In paragraph (g) (2), the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

5. Paragraph (f) (5) is revoked, and a new paragraph (f) (5) is inserted, to read as follows:

(5) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 3 to Order No. G-11 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3067; Filed, March 2, 1944;
12:17 p. m.]

[Region I Order G-12 Under RMPR 122,
Amdt. 3]

SOLID FUELS IN HAVERHILL, MASS.

Amendment No. 3 to Order No. G-12 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Haverhill, Mass.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by

§§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order G-12 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted in all five places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at all five places where they appear, and the word "Franklin" is inserted in place thereof.

3. In paragraph (g) (2) the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

4. Paragraph (g) (4) is revoked, and a new paragraph (g) (4) is inserted, to read as follows:

(4) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 3 to Order No. G-12 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3066; Filed, March 2, 1944;
12:17 p. m.]

[Region I Order G-13 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN LYNN-SALEM AREA

Amendment No. 2 to Order No. G-13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lynn-Salem Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-13 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

3. In paragraph (g) (2), the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

4. Paragraph (g) (6) is revoked, and a new paragraph (g) (6) is inserted to read as follows:

(6) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G-13 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3072; Filed, March 2, 1944;
12:18 p. m.]

[Region I Order G-14 Under RMPR 122,
Amdt. 4]

SOLID FUELS IN LOWELL, MASS., AREA

Amendment No. 4 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lowell, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-9 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

| Kind and size | Per net ton | ½ ton | ¼ ton | 100lbs. |
|---------------|-------------|--------|--------|---------|
| Franklin: | | | | |
| Stove..... | \$18.00 | \$9.25 | \$4.65 | \$1.00 |
| Chestnut..... | 17.55 | 8.95 | 4.55 | .95 |

In Price Schedule II in paragraph (c) (1), that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

| Kind and size | Per net ton | ½ ton | ¼ ton | 100lbs. |
|---------------|-------------|--------|--------|---------|
| Franklin: | | | | |
| Stove..... | \$17.00 | \$8.75 | \$4.40 | \$0.90 |
| Chestnut..... | 16.55 | 8.55 | 4.30 | .80 |

3. In paragraph (g) (2), the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

4. Paragraph (g) (5) is revoked, and a new paragraph (g) (5) is inserted, to read as follows:

(5) "Franklin" means that Pennsylvania anthracite which is prepared at

the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 4 to Order No. G-14 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February, 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3070; Filed, March 2, 1944;
12:18 p. m.]

[Region I Order G-16 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN BROCKTON, MASS., AREA

Amendment No. 2 to Order No. G-16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Brockton, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-16 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

3. In Price Schedule III in paragraph (d) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

4. In paragraph (g) (2) the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

5. Paragraph (g) (4) is revoked, and a new paragraph (g) (4) is inserted, to read as follows:

(4) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G-16 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681).

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3071; Filed, March 2, 1944;
12:18 p. m.]

[Region I Order G-17 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN TAUNTON, MASS., AREA

Amendment No. 2 to Order No. G-17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Taunton, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-17 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In paragraph (b) (2), the words "Red Ash" are deleted and the word "Franklin" is inserted in place thereof.

3. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

4. In Price Schedule III in paragraph (d) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

5. In paragraph (g) (2), the words "Red Ash" are deleted and the word "Franklin" is inserted in place thereof.

6. Paragraph (g) (5) is revoked, and a new paragraph (g) (5) is inserted, to read as follows:

(5) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G-17 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3069; Filed, March 2, 1944;
12:18 p. m.]

[Region I Order G-19 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN CONCORD, N. H., AREA

Amendment No. 2 to Order No. G-19 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Concord, N. H., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No.

122, Region I Order No. G-19 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

3. In Price Schedule III in paragraph (d) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

4. In paragraph (g) (2) the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

5. Paragraph (g) (4) is revoked, and a new paragraph (g) (4) is inserted, to read as follows:

(4) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G-19 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3073; Filed, March 2, 1944;
12:19 p. m.]

[Region I Order G-23 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN STOUGHTON, MASS.

Amendment No. 2 to Order No. G-23 under Revised Maximum Price Regulation No. 122. Specified solid fuels, Stoughton, Mass.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-23 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted in the parentheses following the words "Pennsylvania anthracite" and the word "Franklin" is inserted in place thereof; and that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

| Kind and size | Per net ton | ½ ton | ¼ ton | 100 lbs. |
|---------------|-------------|--------|--------|----------|
| Franklin: | | | | |
| Broken..... | \$16.95 | \$8.49 | \$4.49 | \$1.00 |
| Egg..... | 17.29 | 8.69 | 4.45 | 1.00 |
| Stove..... | 17.45 | 8.75 | 4.65 | 1.00 |
| Chestnut..... | 10.79 | 5.39 | 4.45 | 1.00 |

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted in the parentheses following the words "Pennsylvania anthracite" and the word "Franklin" is inserted in place thereof; and that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

| Kind and size | Per net ton | ½ ton | ¼ ton | 100 lbs. |
|---------------|-------------|--------|--------|----------|
| Franklin: | | | | |
| Broken..... | \$15.45 | \$7.75 | \$4.15 | \$0.95 |
| Egg..... | 15.79 | 7.85 | 4.29 | .95 |
| Stove..... | 15.95 | 7.99 | 4.25 | .95 |
| Chestnut..... | 15.29 | 7.69 | 4.65 | .95 |

3. In Price Schedule III in paragraph (d) (1), the words "Red Ash" are deleted in the parentheses following the words "Pennsylvania anthracite" and the word "Franklin" is inserted in place thereof; and that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

| Kind and size | Per net ton | ½ ton | ¼ ton |
|---------------|-------------|--------|--------|
| Franklin: | | | |
| Broken..... | \$14.45 | \$7.25 | \$3.69 |
| Egg..... | 14.79 | 7.35 | 3.95 |
| Stove..... | 14.95 | 7.49 | 4.09 |
| Chestnut..... | 14.29 | 7.19 | 3.89 |

4. In paragraph (f) (1), the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

5. Paragraph (f) (3) is revoked, and a new paragraph (f) (3) is inserted, to read as follows:

(3) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G-23 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Acting Regional Administrator.

[F. R. Doc. 44-3068; Filed, March 2, 1944;
12:18 p. m.]

[Region I Order G-39 Under RMPR 122,
Amdt. 1]

SOLID FUELS IN PROVIDENCE, R. I., AREA

Amendment No. 1 to Order No. G-39 under Revised Maximum Price Regula-

tion No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Providence, R. I., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, Region I Order No. G-39 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In paragraph (d) (1), that portion of the table of prices in Price Schedule III which contains specific maximum prices for yard sales of coke to un-equipped dealers is amended to read as follows:

| Kind and size | Per net ton | ½ ton | ¼ ton |
|------------------------------|-------------|--------|--------|
| Coke: | | | |
| Egg, stove and chestnut..... | \$12.05 | \$6.00 | \$3.00 |
| No. 2 chestnut..... | 11.50 | 5.75 | 2.90 |

2. In paragraph (e) (1) that portion of the table of prices in Price Schedule IV which contains specific maximum prices for yard sales of coke to un-equipped dealers is amended to read as follows:

| Kind and size | Per net ton | ½ ton | ¼ ton |
|------------------------------|-------------|--------|--------|
| Coke: | | | |
| Egg, stove and chestnut..... | \$11.60 | \$5.80 | \$2.75 |
| No. 2 chestnut..... | 10.45 | 5.25 | 2.65 |

This Amendment No. 1 to Order No. G-39 shall become effective March 6, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3090; Filed, March 2, 1944;
12:33 p. m.]

[Region I Order G-24 Under 18 (c) and MPR
289, Amdt. 1]

FLUID MILK IN CERTAIN CONNECTICUT MARKETING AREAS

Amendment No. 1 to Order No. G-24 under § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 289. Fluid milk in Connecticut Marketing Areas Numbers I and II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, as amended, and by § 1351.807 of Maximum Price Regulation No. 289, as amended, It is hereby ordered, That this order be redesignated as

Order No. G-24 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation and Section 1351.807 of Maximum Price Regulation No. 280, Fluid Milk in Connecticut Marketing Areas Numbers I and II and amended to read as follows:

(a) This order establishes maximum prices for certain sales and deliveries of fluid milk in Marketing Areas Numbers I and II in the State of Connecticut (as defined in Price Order Numbers I, II and III issued September 22, 1941 by the Milk Administrator of the State of Connecticut).

(b) Any seller subject to the provisions of this order or to the provisions of the General Maximum Price Regulation or Maximum Price Regulation No. 280 may reduce the butterfat content of fluid milk sold and delivered by him in Marketing Areas Numbers I and II so that it shall have a butterfat content of not more than 3/10 of 1% by weight less than the butterfat content of fluid milk sold by him during the base periods of the General Maximum Price Regulation or Maximum Price Regulation No. 280, respectively, without reducing the maximum prices established for sales by him of milk of a butterfat content the same as that sold by him during the respective base periods of the General Maximum Price Regulation and Maximum Price Regulation No. 280; *Provided, however*, That such reduction in butterfat content shall not result in fluid milk having a butterfat content of less than 3.6% by weight.

(c) The maximum prices for sales and deliveries of fluid milk in Marketing Areas Numbers I and II in the transactions listed below shall be the seller's applicable maximum price under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, as modified by paragraph (b) of this order, or the maximum prices set forth below, whichever are higher:

| Grade B Milk | Wholesale to users | Wholesale to dealers |
|-------------------------------|--------------------|----------------------|
| Quart bottles..... | \$0.13 | \$0.115 |
| Pint bottles..... | .075 | .06 |
| 10 oz. bottles..... | .06 | .045 |
| 8 oz. bottles..... | .04 | .035 |
| 10 quart cans, per quart..... | .12 | ----- |

(1) Grade B milk means cow's milk sold for consumption in fluid form as whole milk as prescribed by the applicable statutes of the State of Connecticut, or by the orders or regulations of the appropriate agency of the State of Connecticut for such grade of milk.

(2) Customary deposit charges and price differentials for special milk, including but not limited to Grade A milk, flavored milk, trade marked milk and milk of specially high butterfat content, or for milk distributed in special types of containers, which any seller had in effect during the base period may be added to the maximum prices for Grade B milk as fixed in this order. The base period to be used for computing all such differentials shall be:

(1) March 1942 for sales of fluid milk subject to the General Maximum Price Regulation.

(ii) The period September 28 to October 2, 1942, inclusive for sales of fluid milk subject to Maximum Price Regulation No. 280.

(3) The above "Wholesale to users" prices shall be the maximum prices for sales to restaurants, hotels, stores and similar business users and to institutions and Government agencies.

(4) The above "Wholesale to dealers" prices shall be the maximum prices for sales to milk dealers and subdealers.

(5) Where the total bill at the time of sale if sold for cash, or at the end of any billing period if sold on credit, comes out at the fraction of a cent, the seller may charge the next higher cent.

(6) Any seller who shall choose to use his maximum price established for sales by him under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, and who finds that some or all of such maximum prices are in excess of the dollar and cent prices set forth in paragraph (c) shall, within 30 days from the effective date of this order, file with the Connecticut State Office of the Office of Price Administration a statement indicating his intention to use such higher maximum prices and setting forth such higher maximum prices for each milk item (grade, container type, container size, etc.). Unless a seller shall file such a statement as required by this subparagraph (6), he shall be limited to the maximum prices otherwise established by paragraph (c) on all sales of fluid milk covered by this order.

(d) This order may be revoked or amended at any time.

(e) This order shall become effective at 12:01 a. m. on February 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3065; Filed, March 2, 1944;
12:17 p. m.]

[Region I Order G-55 Under RMPR 122]

SOLID FUELS IN WILLIMANTIC, CONN., AREA

Order No. G-55 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Willimantic, Conn., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) Maximum prices established by this order. The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Price Regulation No. 122 for sales of specified

kinds of solid fuels in the Willimantic, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-55 is explained in paragraph (g), and the terms used herein are defined in paragraph (e).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122, apply to all transactions which are the subject of this Order G-55. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-55 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Connecticut, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a delivered basis to consumers at any point in the Willimantic, Connecticut, Area. No additional charge shall be made for any carry or wheel which may be necessary in order to effect delivery into the consumer's bin or storage space.

| Kind and size | Per net ton | 1/2 ton | 1/4 ton | 100 lbs. |
|-------------------------------------|-------------|---------|---------|----------|
| Pennsylvania anthracite: | | | | |
| Broken egg, stove and chestnut..... | \$16.25 | \$8.65 | \$4.60 | \$1.00 |
| Pec..... | 14.95 | 8.00 | 4.25 | .95 |
| Buckwheat..... | 11.55 | 6.20 | 3.40 | .80 |
| Rice..... | 10.70 | 6.85 | 3.20 | .75 |
| Yard screenings..... | 3.00 | ----- | ----- | ----- |
| Koppers coke: | | | | |
| Egg, stove and chestnut..... | 15.50 | 8.25 | 4.40 | .95 |

(2) *Quantity and other special discounts.* (a) The foregoing per net ton prices shall be reduced by fifty cents (\$0.50) per ton on sales of railroad carload lots when the entire contents of a railroad car are sold to one purchaser at one time. On such sales the number of tons sold shall be considered to be the number of tons shown on the railroad's freight bill for the car, regardless of the actual number of tons that may be shown by reweighing or unloading.

(3) *Terms of sale.* (a) Terms of sale may be net cash on all sales of yard screenings of Pennsylvania anthracite, but no additional charge shall be made for the extension of credit terms of net 30 days or net ten days E. O. M.

(b) On sales of other sizes of Pennsylvania anthracite and Koppers coke,

the maximum prices set forth above (including the per net ton maximum prices as reduced by any discount required by sub-paragraph (2) of this paragraph (b)) shall be reduced by the following amounts if payment is made by the buyer within ten (10) days after receipt of the fuel,

| | Per net ton | Per ½ ton | Per ¼ ton |
|--|-------------|-----------|-----------|
| Broken, egg, stove, chestnut and pea sizes of Pennsylvania anthracite, and Koppers Coke..... | \$1.00 | \$0.50 | \$0.25 |
| Buckwheat and rice sizes of Pennsylvania anthracite..... | .50 | .25 | .15 |

which reductions are "cash discounts".

No further discount is required for cash on delivery, and no "cash discount" is required on sales of less than a quarter ton. If payment is not required or made at the time of delivery or within ten days thereafter, terms shall be net thirty days.

(4) *Maximum authorized deposit charge.* If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes, and quantities of solid fuels delivered at the yard of any dealer in the Willimantic, Connecticut, Area to consumers.

| Kind and size | Per net ton | ½ ton | ¼ ton | 100 lbs. |
|--------------------------------------|-------------|--------|--------|----------|
| Pennsylvania anthracite: | | | | |
| Broken, egg, stove and chestnut..... | \$15.75 | \$7.90 | \$3.95 | \$0.80 |
| Pea..... | 14.45 | 7.25 | 3.65 | .75 |
| Buckwheat..... | 11.05 | 5.55 | 2.80 | .69 |
| Rice..... | 10.20 | 5.10 | 2.55 | .55 |
| Yard screenings..... | 2.00 | | | |
| Koppers coke: | | | | |
| Egg, stove and chestnut..... | 15.00 | 7.50 | 3.75 | .75 |

(2) *Discounts and terms of sale.* The provisions of sub-paragraphs (2) and (3) of paragraph (b) of this order shall apply to the foregoing maximum prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons, and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

| | Cents |
|----------------------|-------|
| Per ton..... | 50 |
| Per half-ton..... | 25 |
| Per quarter-ton..... | 15 |

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer will be 25 cents per bag.

(d) *Certain named Pennsylvania anthracite coals.* The specific maximum

prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed.

| Kind and size | Amount of addition | | | |
|--|--------------------|-----------|-----------|--------------|
| | Per net ton | Per ½ ton | Per ¼ ton | Per 100 lbs. |
| Jeddo Highland: | | | | |
| Broken, egg, stove & chestnut pea and buckwheat..... | \$0.25 | \$0.15 | \$0.05 | None |
| Rice..... | .15 | .10 | None | None |
| Silver Brook: | | | | |
| Broken, egg, stove, chestnut, pea and buckwheat..... | .03 | .15 | .05 | None |
| Rice..... | .25 | .15 | .05 | None |

(e) *Definitions.* When used in this Order G-55, the term:

(1) "Willimantic, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Andover, Chaplin, Columbia, Coventry, Hebron, Lebanon, Mansfield, Scotland, Stafford, Tolland, Willimantic, Willington, and Windham.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite and Koppers Coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Named Pennsylvania anthracite" includes Jeddo Highland and Silver Brook.

(5) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal" or "Hazle Brook Coal".

(6) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(7) "Broken", "egg", "stove", "chestnut", etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(8) "Koppers coke" means the by-product coke produced by the Koppers Coke Corporation at its plant in New Haven, Connecticut.

(9) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(10) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(11) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(f) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however*, That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided further*, That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(g) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(h) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(i) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(j) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(l) This order may be revoked, amended or corrected at any time.

This Order No. G-55 shall become effective March 3, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3091; Filed, March 2, 1944;
12:23 p. m.]

[Region I Order G-56 Under RMPR 122]

SOLID FUELS IN MONTPELIER, VT., AREA

Order No. G-56 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Montpelier, Vt., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Montpelier, Vermont, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are

hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum Prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-56 is explained in paragraph (h) and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-56. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-56 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Vermont, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the Montpelier, Vermont, Area.

| Kind and size | Per net ton | Per ½ ton | Per ¼ ton | 100 lbs. |
|--|-------------|-----------|-----------|----------|
| Pennsylvania anthracite: Broken, egg, stove, and chestnut..... | \$17.30 | \$8.00 | \$4.70 | \$0.95 |
| Pea..... | 15.65 | 8.20 | 4.30 | .90 |
| Buckwheat..... | 13.55 | 7.15 | 3.75 | .80 |
| Rice..... | 12.05 | 6.40 | 3.40 | .70 |
| Yard screenings..... | 3.50 | | | |
| Jeddo Highland or Silver Brook: Egg, stove, and chestnut..... | 17.80 | 9.25 | 4.80 | 1.00 |
| Pea..... | 16.15 | 8.45 | 4.40 | .90 |
| Buckwheat..... | 14.05 | 7.40 | 3.85 | .80 |
| Coke—Egg, stove and chestnut..... | 17.10 | 8.90 | 4.65 | .95 |
| Ambricoal..... | 15.55 | 8.15 | 4.25 | .90 |

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Schedule I shall apply to deliveries to consumers whose bins or storage facilities are located in the following places: Barre (both city and township), Berlin, East Montpelier, Montpelier, Northfield, Orange, Plainfield, Roxbury, Williamstown and Worcester.

(b) The following amounts may be added to the base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in the following places:

| | Per net ton | Per ½ ton | Per ¼ ton |
|--|-------------|-----------|-----------|
| Brookfield, Calais, Marshfield and Washington..... | \$0.50 | \$0.25 | \$0.15 |
| Cabot..... | 1.00 | .50 | .25 |

(3) *Quantity discount.* The foregoing per net ton prices shall be reduced by 50 cents per net ton when the purchaser

orders 20 or more net tons for immediate delivery or for delivery at one specified time and the dealer may properly, under any orders of the Solid Fuels Administration for War which are then in effect, deliver at least 20 tons to the purchaser at the time specified by the purchaser.

(4) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

| | Per net ton | Per ½ ton | Per ¼ ton |
|--|-------------|-----------|-----------|
| For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs..... | Cents 60 | Cents 25 | Cents 15 |
| For any carry up or down flights of stairs, per flight..... | 60 | 25 | 15 |

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25¢ per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes, and quantities of solid fuels delivered at the yard of any dealer in the Montpelier, Vermont, Area to consumers.

| Kind and size | Per net ton | Per ½ ton | Per ¼ ton | 100 lbs. |
|---|-------------|-----------|-----------|----------|
| Pennsylvania anthracite: Broken, egg, stove and chestnut..... | \$16.30 | \$8.15 | \$4.35 | \$0.85 |
| Pea..... | 14.65 | 7.35 | 3.95 | .80 |
| Buckwheat..... | 12.55 | 6.30 | 3.40 | .70 |
| Rice..... | 11.05 | 5.55 | 3.00 | .60 |
| Yard screenings..... | 2.50 | | | |
| Jeddo Highland or Silver Brook: Egg, stove and chestnut..... | 16.80 | 8.40 | 4.45 | .90 |
| Pea..... | 15.15 | 7.60 | 4.05 | .80 |
| Buckwheat..... | 13.05 | 6.55 | 3.50 | .70 |
| Coke: Egg, stove and chestnut..... | 16.10 | 8.05 | 4.30 | .85 |
| Ambricoal..... | 14.55 | 7.30 | 3.90 | .80 |

(2) *Quantity discount.* The provisions of subparagraph (3) of paragraph (b) shall apply to the foregoing prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

| | Cents |
|----------------------|-------|
| Per net ton..... | 50 |
| Per half-ton..... | 25 |
| Per quarter-ton..... | 15 |

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags fur-

nished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c), including those prices as reduced in accordance with subparagraphs (b) (3) and (c) (2), shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by \$1.00 per ton, or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(e) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Montpelier, Vermont, Area to dealers in fuels who resell them.

| Kind and size | Per net ton | Per ½ ton | Per ¼ ton |
|---------------------------------|-------------|-----------|-----------|
| Pennsylvania anthracite: | | | |
| Broken, egg, stove and chestnut | \$13.80 | \$6.90 | \$3.45 |
| Pea | 12.25 | 6.15 | 3.10 |
| Buckwheat | 10.60 | 5.30 | 2.65 |
| Rice | 9.30 | 4.65 | 2.35 |
| Yard screenings | 2.50 | | |
| Jeddo Highland or Silver Brook: | | | |
| Egg, stove and chestnut | 14.30 | 7.15 | 3.60 |
| Pea | 12.75 | 6.40 | 3.20 |
| Buckwheat | 11.10 | 5.55 | 2.80 |
| Coke: Egg, stove and chestnut | 13.70 | 6.85 | 3.45 |
| Ambricoal | 12.05 | 6.05 | 3.05 |

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags:

| | Cents |
|-----------------|-------|
| Per ton | 50 |
| Per half-ton | 25 |
| Per quarter-ton | 15 |

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(3) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(f) *Definitions.* When used in this Order G-56, the term:

(1) "Montpelier, Vermont, Area" shall include the following cities, towns and townships in the State of Vermont: Barre, Berlin, Brookfield, Cabot, Calais, East Montpelier, Marshfield, Middlesex, Montpelier, Northfield, Orange, Plainfield, Roxbury, Waitsfield, Washington, Williamstown and Worcester.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, ambricoal and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal," "Highland Coal," or "Hazle Brook Coal."

(5) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal," and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(6) "Broken," "egg," "stove," "chestnut," etc., sizes of Pennsylvania anthracite, refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(7) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to

the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name

and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended or corrected at any time.

This Order No. G-56 shall become effective March 6, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3075; Filed, March 2, 1944;
12:23 p. m.]

[Region IV Order G-5 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN CHARLOTTE, N. C.

Amendment No. 2 to Order No. G-5 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the city of Charlotte in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and paragraph (g) of Order No. G-5 issued thereunder, *It is hereby ordered*, That the first unnumbered subdivision of paragraph (c) (1) captioned "Pennsylvania anthracite, briquettes and coke" be amended to read as set forth below:

(1) *Pennsylvania anthracite, briquettes and coke.*

| Size | Per ton 2,000 pounds | Per ½ ton 1,000 pounds | Per ¼ ton 500 pounds |
|----------------------------------|----------------------------|---------------------------------|-------------------------------|
| Pennsylvania anthracite nut..... | \$19.20 | \$9.85 | \$5.11 |
| Briquettes..... | 11.50 | 6.00 | 3.18 |
| Alabama coke..... | 12.45 | 6.48 | 3.42 |

This amendment No. 2 to Order No. G-5 shall become effective December 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued December 13, 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-3079; Filed, March 2, 1944;
12:25 p. m.]

[Region IV Order G-5 Under RMPR 122,
Amdt. 3]

SOLID FUELS IN CHARLOTTE, N. C.

Amendment No. 3 to Order No. G-5 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Charlotte in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and paragraph (g) of Order No. G-5 under § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph (c) (1) be amended as follows:

The last line of the first unnumbered paragraph under paragraph (c) (1) reading "Alabama coke, \$11.65, \$6.08, \$3.22" is hereby stricken so that coke shall no longer be covered by Order No. G-5 but will hereafter be priced under Revised Maximum Price Regulation No. 122.

This Amendment No. 3 to Order No. G-5 shall become effective February 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued February 9, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-3080; Filed, March 2, 1944;
12:25 p. m.]

[Region IV Order G-10 Under RMPR 122,
Amdt. 3]

SOLID FUELS IN CERTAIN MARYLAND AND VIRGINIA LOCALITIES

Amendment No. 3 to Order No. G-10 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the counties of Henrico and Chesterfield in the State of Virginia and the independent city of Richmond, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and paragraph (f) of Order No. G-10 under

§ 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph (c) (1) be amended as follows:

The unnumbered paragraph under paragraph (c) (1) captioned Coke is stricken so that coke will no longer be covered by Order No. G-10 but will hereafter be priced under the provisions of Revised Maximum Price Regulation No. 122.

This Amendment No. 3 to Order No. G-10 shall become effective February 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued February 8, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-3081; Filed, March 2, 1944;
12:25 p. m.]

[Region VI Order G-8 Under RMPR 123,
Amdt. 1]

COAL AND COKE IN MADISON, WIS.

Amendment No. 1 to Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for coal and coke in Madison, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith: *It is ordered*, That section IV of the price schedule set forth in paragraph (b) (1) of Order No. G-8 be and it is hereby amended to read as follows:

| Description | Less than 3 tons delivered | | Three tons or more delivered | |
|--|----------------------------------|---------|------------------------------------|---------|
| | Gross | Net | Gross | Net |
| 1 | 2 | 3 | 4 | 5 |
| IV-a Pennsylvania anthracite, prior to June 1, 1944: | | | | |
| 1. Egg, stove and nut..... | \$18.25 | \$17.40 | \$18.25 | \$17.40 |
| 2. Fed..... | 10.45 | 10.70 | 10.45 | 10.70 |
| 3. Buckwheat..... | 14.70 | 13.65 | 14.70 | 13.65 |
| IV-b Pennsylvania anthracite, on and after June 1, 1944: | | | | |
| 1. Egg, stove and nut..... | 17.95 | 17.10 | 17.95 | 17.10 |
| 2. Fed..... | 10.15 | 10.40 | 10.15 | 10.40 |
| 3. Buckwheat..... | 14.20 | 13.55 | 14.20 | 13.55 |

This Amendment No. 1 to Order No. G-8 shall become effective November 30, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of November 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 44-3076, Filed, March 2, 1944;
12:24 p. m.]

[Region VI Order G-8 Under RMPR 122, Amdt. 2]

COAL AND COKE IN MADISON, WIS.

Amendment No. 2 to Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for coal and coke in Madison, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith, *it is ordered*, That sections I, II and V of the price schedule set forth in paragraph (b) (1) of Order G-8 be and they are hereby amended to read as follows:

| Delivered | Less than 3 tons delivered | | Three tons or more delivered | |
|---|----------------------------|---------|------------------------------|---------|
| | Gross | Net | Gross | Net |
| 1 | 2 | 3 | 4 | 5 |
| I. Low volatile bituminous from District #7 (W. Va.): 1. Egg and stove (size groups #2 and #3)..... | \$14.10 | \$13.45 | \$14.70 | \$13.45 |
| II. Hi-volatile bituminous from District #8 (W. Va. & E. Ky.): 1. Domestic stocker 1 1/4" and smaller (size group #10)..... | 12.00 | 11.45 | 11.50 | 11.00 |
| V. By-product coke: 1. Egg, stove and nut..... | 14.75 | 14.05 | 14.75 | 14.05 |

This Amendment No. 2 to Order No. G-8 shall become effective December 8, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

RAYMOND S. McKEOUGH,
Regional Administrator

[F. R. Doc. 44-3078; Filed, March 2, 1944; 12:25 p. m.]

[Region VI Order G-8 Under RMPR 122, Amdt. 3]

COAL AND COKE IN MADISON, WIS.

Amendment No. 3 to Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for coal and coke in Madison, Wis.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of RMPR No. 122, and for reasons stated in the opinion issued herewith, it is ordered that section V of the price schedule set forth in paragraph (b) (1) of Order G-8 be and is hereby amended to read as follows:

| 1 | Less than 3 tons delivered | | Three tons or more delivered | |
|--|----------------------------|---------|------------------------------|---------|
| | Gross | Net | Gross | Net |
| 2 | 3 | 4 | 5 | |
| V. By-product coke: 1. Egg, stove and nut..... | \$15.05 | \$14.35 | \$15.05 | \$14.35 |

No. 46—5

This Amendment No. 3 to Order No. G-8 shall become effective as of December 20, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of February 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3077; Filed, March 2, 1944; 12:24 p. m.]

[Region VI Order G-25 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN CERTAIN ILLINOIS CITIES

Order No. G-25 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280—Maximum prices for specific food products, and under Maximum Price Regulation No. 329—Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for La Salle, Peru, Oglesby, and Spring Valley, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price

Regulation No. 280, and by § 1351.408 of Maximum Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$2.70 per cwt. for milk having a butterfat content of 3.5% plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3/5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within the cities of La Salle, Peru, Oglesby and Spring Valley, Illinois, or who sell within such cities 50% or more of the milk sold by them. Prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices.* The maximum price for the sale and delivery of fluid milk at wholesale and at retail in the Illinois cities listed below shall be as follows:

(1) *Spring Valley, Illinois.*

| | Standard milk | | Chocolate milk | | Buttermilk | |
|-------------------------------|---------------|-----------|----------------|-----------|------------|-----------|
| | Retail | Wholesale | Retail | Wholesale | Retail | Wholesale |
| 4 individual qt. bottles..... | \$0.43 | | | | | |
| Gallons in bulk..... | .43 | \$0.43 | | | | |
| Gallons..... | .13 | .11 | \$0.15 | \$0.14 | \$0.15 | \$0.11 |
| Quarts..... | .67 | .64 | .68 | .67 | | |
| Pints..... | .65 | .64 | .65 | .64 | | |
| 1/2 pints..... | | | | | | |

(2) *La Salle, Peru and Oglesby, Illinois.*

| | Standard milk | | Chocolate milk | | Buttermilk | |
|-------------------------------|---------------|-----------|----------------|-----------|------------|-----------|
| | Retail | Wholesale | Retail | Wholesale | Retail | Wholesale |
| 4 individual qt. bottles..... | \$0.44 | | | | | |
| Gallons in bulk..... | .44 | \$0.44 | | | | |
| Gallons..... | .14 | .12 | \$0.15 | \$0.13 | \$0.14 | \$0.10 |
| Quarts..... | .67 | .64 | .67 | .64 | | |
| Pints..... | .67 | .64 | .67 | .64 | | |
| 1/2 pints..... | | | | | | |

(3) Where the retail maximum price set forth is expressed in terms of 1/2¢, the price charged for a single unit at retail may be increased to the next even cent. The opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. Home delivery sales at retail shall be considered multiple unit sales unless separate collections are made by single units when delivered.

(d) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Illinois cities of La Salle, Peru, Oglesby and Spring Valley shall mean:

(1) All sales made within the city limits of said cities and all sales at or from an establishment located in said cities except that sales to Spring Valley, Illinois from establishments located in La Salle, Peru or Oglesby, Illinois shall not exceed the maximum price established by this order for sales and deliveries in Spring Valley.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of fluid milk for human consumption from a seller at wholesale located within the Illinois cities of La Salle, Peru, Oglesby and Spring Valley.

(e) *Definitions.* (1) Standard milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum butterfat content established by statute or municipal ordinance, distributed and sold in fluid form for human consumption as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(3) Unless the context otherwise requires, terms and phrases not herein defined shall be given the meaning subscribed to them in the General Maximum Price Regulation or the Emergency Price Control Act of 1942, as amended; and if not therein defined, their ordinary meanings.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of January 1944.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-3088; Filed, March 2, 1944; 12:21 p. m.]

[Region VI Order G-28 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN MONROE, WIS.

Order No. G-26 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280—Maximum prices for specific food products and under Maximum Price Regulation No. 329—Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Monroe, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administration of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$2.75 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5%, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this Order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within Monroe, Wisconsin, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (a) of this Order shall apply only to purchases from pro-

ducers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Monroe, Wisconsin shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher.

| Standard butterfat content fluid milk and chocolate milk | Wholesale | Retail |
|--|-----------|--------|
| Gallons in bulk..... | \$0.45 | ----- |
| Gallons..... | .45 | \$0.49 |
| Quarts..... | .12 | .13 |
| Pints..... | .06½ | .07 |
| ½ pints..... | .03¼ | .05 |

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher.

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Monroe, Wisconsin area shall mean:

1. All sales made within the city limits of Monroe, Wisconsin, and all sales at or from an establishment located in Monroe, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Monroe, Wisconsin.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

3. Army or Navy means sales to the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 22, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3087; Filed, March 2, 1944; 12:21 p. m.]

[Region VI Order G-28 under SR 15 to GMPR and MPR 280]

MILK IN ELKHART, ILL.

Order No. G-28 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and under § 1351.807 (a) of Maximum Price Regulation No. 280. Maximum prices for specific food products. Adjustment of fluid milk prices in Elkhart, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in Elkhart, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

| STANDARD BUTTERFAT CONTENT FLUID MILK | Wholesale | Retail |
|---------------------------------------|-----------|--------|
| Gallons in bulk..... | \$0.37 | ----- |
| Gallons..... | .37 | \$0.45 |
| Quart..... | .10 | .12 |
| Pint..... | .05½ | .06½ |
| Half pint..... | .03 | .05 |

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Elkhart, Illinois, Area shall mean:

1. All sales made within the city limits of Elkhart, Illinois, and all sales at or from an establishment located in Elkhart, Illinois;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of

milk from a seller at wholesale located within Elkhart, Illinois.

(c) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(d) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3086; Filed, March 2, 1944;
12:20 p. m.]

[Region VI Order G-25 Under MPR 329,
Amdt. 1]

PRODUCERS' MILK PRICES IN TOMAH, WIS.

Amendment No. 1 to Order No. G-25 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered*, That paragraph (a) of Order No. G-25 be amended to read as follows:

(a) *Maximum producer prices.* The maximum price which distributors in Tomah, Wisconsin, may pay to producers for milk sold for human consumption in fluid form shall be whichever of the two provisions listed below is the higher:

1. \$3.15 per cwt. for milk having a butterfat content of 4%, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4%, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

2. The maximum price which distributors to whom this order applies are permitted to pay to producers pursuant to the provisions of Maximum Price Regulation No. 329.

This Amendment No. 1 to Order No. G-25 shall be effective February 12, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3074; Filed, March 2, 1944;
12:19 p. m.]

[Region VI Order G-27 Under MPR 323]

PRODUCERS' MILK PRICES IN DANVILLE, ILL.

Order No. G-27 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *it is hereby ordered*:

(a) *Maximum producer prices.* The maximum price which milk distributors may pay to producers for milk sold for human consumption in fluid form shall be \$3.05 for 4% butterfat test milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* This order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Danville, Illinois, or who sell within that city 50% or more of the milk sold by them.

(c) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery practices or other business or trade practices in effect in January of 1943.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective the 21st day of February, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3083; Filed, March 2, 1944;
12:21 p. m.]

[Denver Order G-4 Under 3 (c)]

NETTLES DISTRIBUTING CO., DENVER, COLO.

Order No. G-4 issued under § 1499.3 (c) of the General Maximum Price Reg-

ulation. Order establishing maximum prices for electric dry cell batteries sold by Nettles Distributing Company, Denver, Colorado. Docket No. 70-1.3 (c)-4-7, 2-18-44.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director by General Order No. 32, as amended, and Region VII Delegation Order No. 4, under § 1499.3 (c) of the General Maximum Price Regulation, *it is hereby ordered*:

(a) *Maximum prices for electric dry cell batteries.* The maximum prices on sales of electric dry cell batteries covered by this order, to be charged on sales in Colorado to jobbers and on sales in Colorado to retailers and on sales in Colorado at retail, shall be as follows:

| Model No. | Type | Maximum price to jobbers on sales | Maximum price to retailers on sales | Maximum price at retail |
|------------|----------------------|-----------------------------------|-------------------------------------|-------------------------|
| WENA 30... | 45-volt "B" battery. | \$0.89 | \$1.03 | \$1.50 |
| WENF 4... | 1½-volt "A" battery. | .39 | .42 | .60 |
| WENF 3... | 4½-volt "A" battery. | .27 | .37 | .50 |
| WENF 4... | 6-volt "A" battery. | .50 | .42 | .60 |

(b) *Information to be stated on batteries.* The following information shall appear upon the outside cover of each electric dry cell battery covered by this order at the time of any sale of such battery: The model number of such battery as it appears in subdivision (a) of this order; the type of such battery as it appears in subdivision (a) of this order; and the words "OPA Retail Ceiling Price," followed by the maximum price of such battery on sale at retail as such price appears in subdivision (a) of this order. By way of illustration, if the battery sold is a 45-volt "B" Battery, there shall be placed upon the outside cover the following: "WENA 30 45-volt 'B' Battery. OPA Retail Ceiling Price \$1.50."

(c) *Notification of maximum prices.* Each person who shall sell any electric dry cell batteries which are covered by this order to any purchaser who buys them for resale shall, at the time of or prior to the delivery to such purchaser of such batteries, notify such purchaser of the provisions of this order by which are determined the maximum wholesale and retail prices of such batteries and of the provisions of this order relating to notification of maximum prices and relating to guarantee of the batteries.

(d) *Description of electric dry cell batteries covered by this order.* This order relates to the maximum prices of only those electric dry cell batteries which shall have been assembled by Nettles Distributing Company, the address of which is 5220 Federal Boulevard, Denver, Colorado, from component parts of Army Signal Corps Type BA-39 Electric Dry Cell Batteries originally manufactured in the month of January 1943 by the Burgess Battery Company of Freeport, Illinois, or the Ray-O-Vac Com-

pany of Madison, Wisconsin, and which Army Signal Corps Type BA-39 Electric Dry Cell Batteries were purchased as a part of a lot of 3,093 of such batteries prior to the date of this order by said Nettles Distributing Company from McGee Sales Company of Kansas City, Missouri. In order to be covered by this order, any electric dry cell battery otherwise falling within the coverage of this order must be guaranteed by said Nettles Distributing Company in the same manner as manufacturers of comparable electric dry cell batteries made for civilian use guaranteed their batteries on sale new during the month of March 1942. No battery containing any cells which were not manufactured by said Burgess Battery Company or said Ray-O-Vac Company shall be covered by this order.

(e) *Coverage by General Maximum Price Regulation.* In all particulars which are not specifically covered or which are excepted by this order, all sellers of electric dry cell batteries which are covered by this order shall be subject to the provisions of the General Maximum Price Regulation with respect to the sales of such batteries.

(f) *Modification and adjustment.* This order may be revoked, amended, or corrected at any time, and any maximum price determined under this order shall be subject to modification and adjustment by the Office of Price Administration and this order shall be superseded by any appropriate maximum price regulation or amendment to maximum price regulation which may hereafter be issued which fixes or establishes maximum prices for electric dry cell batteries.

(g) *Keeping of copy of order.* Said Nettles Distributing Company shall keep a copy of this order in its establishment at 5280 Federal Boulevard, Denver, Colorado.

(h) *Effective date.* This order becomes effective February 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

GEO. M. BULL,
District Director.

[F. R. Doc. 44-3082; Filed, March 2, 1944;
12:26 p. m.]

[Region VI Order G-30 Under SR 15, MPR 280,
MPR 329]

FLUID MILK IN COLLINSVILLE, ILL.

Order No. G-30 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280, Maximum prices for specific food products, and under Maximum Price Regulation No. 329, Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Collinsville, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by

§ 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$2.90 per cwt. for 3.5% milk, plus not more than $4\frac{1}{2}\epsilon$ for each 1/10 of a pound of butterfat in excess of 3.5%, and minus not less than $4\frac{1}{2}\epsilon$ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within Collinsville, Illinois, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Collinsville, Illinois shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

| | Wholesale | Retail |
|--|-------------------|--------|
| STANDARD BUTTERFAT CONTENT FLUID MILK | | |
| Gallons, in bulk..... | \$0.40 | |
| Gallons..... | .40 | \$0.46 |
| Half gallons..... | .22 | .25 |
| Quarts..... | .12 | .14 |
| Half pints..... | .03 $\frac{1}{2}$ | .05 |

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher.

(1) One-half cent per quart or a proportionate amount for a part of a quart.
(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Collinsville, Illinois, area shall mean:

(1) All sales made within the city limits of Collinsville, Illinois, and all sales at or from an establishment located in Collinsville, Illinois;

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Collinsville, Illinois.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less

than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by these regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9230, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3084; Filed, March 2, 1944;
12:20 p. m.]

[Region VI Order G-29 Under SR 15 and
MPR 280]

FLUID MILK IN KIMBALL, NEBR.

Order No. G-29 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280. Maximum prices for specific food products. Adjustment of fluid milk prices in Kimball, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in Kimball, Nebraska, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

| | Wholesale | Retail |
|--|-------------------|-------------------|
| STANDARD BUTTERFAT CONTENT FLUID MILK | | |
| Gallons in bulk..... | \$0.37 | |
| Gallons..... | .37 | \$0.45 |
| Quarts..... | .19 | .12 |
| Pints..... | .03 $\frac{1}{2}$ | .05 $\frac{1}{2}$ |
| Half pints..... | .03 | .05 |

Where the maximum price set forth is expressed in terms of $\frac{1}{2}\text{¢}$ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Kimball, Nebraska area shall mean:

(1) All sales made within the city limits of Kimball, Nebraska, and all sales at or from an establishment located in Kimball, Nebraska.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Kimball, Nebraska.

(c) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(d) *Relation to Office of Price Administration Regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(e) *Revokability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3085; Filed, March 2, 1944;
12:20 p. m.]

[Region VI Order G-31 Under SR 15, MPR 280,
MPR 329]

FLUID MILK IN GRANITE CITY, ILL.

Order No. G-31 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280, Maximum prices for specific food products and under Maximum Price Regulation No. 329, Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Granite City, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and un-

der the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.403 (b) of Maximum Price Regulation No. 329; it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$2.90 per cwt. for 3.5% milk, plus not more than $4\frac{1}{2}\text{¢}$ for each 1/10 of a pound of butterfat in excess of 3.5%, and minus not less than $4\frac{1}{2}\text{¢}$ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within Granite City, Illinois, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Granite City, Illinois, shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

| | Wholesale | Retail |
|--|-----------|--------|
| <i>Standard butterfat content fluid milk</i> | | |
| Gallon, in bulk..... | \$2.44 | |
| Gallon..... | .44 | \$2.42 |
| Half gallon..... | .24 | .23 |
| Quart..... | .13 | .15 |
| Pint..... | .07 | .08 |
| Half pint..... | .04 | .05 |
| <i>Homogenized and vitamin D milk</i> | | |
| Gallon, in bulk..... | .48 | |
| Gallon..... | .48 | .25 |
| Half gallon..... | .25 | .23 |
| Quart..... | .14 | .16 |
| Pint..... | .08 | .09 |
| Half pint..... | .04 | .05 |
| <i>Chocolate flavored drink</i> | | |
| Gallon, in bulk..... | .49 | |
| Gallon..... | .49 | .27 |
| Half gallon..... | .13 | .15 |
| Quart..... | .07 | .08 |
| Pint..... | .04 | .05 |
| <i>Cultured buttermilk</i> | | |
| Gallon, in bulk..... | .29 | |
| Gallon..... | .22 | .23 |
| Half gallon..... | .12 | .16 |
| Quart..... | .05 | .10 |
| Pint..... | .04 | .05 |
| <i>Bulgarian whole buttermilk</i> | | |
| Quart..... | .12 | .15 |
| Half pint..... | .03 | .05 |

Where the maximum price set forth is expressed in terms of $\frac{1}{2}\text{¢}$, the price

charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher.

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Granite City, Illinois area shall mean:

(1) All sales made within the city limits of Granite City, Illinois, and all sales at or from an establishment located in Granite City, Illinois;

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Granite City, Illinois.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(h) *Reports.* Each distributor subject to this order, which bottles milk in either glass or paper containers shall submit to the Regional Office of the Office of Price Administration a quarterly profit and loss statement on April 15, 1944, for the quarter year ending March 31, 1944, and a like quarterly statement on each succeeding 15th day of July, October, January and April for the quarter year period ending June 30th, September 30th, December 31st, and March 31st, respectively.

(1) *Revocability.* This order may be revoked amended or corrected at any time.

This order shall be effective February 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3083; Filed, March 2, 1944;
12:19 p. m.]

[Region VIII Order G-86 Under 18 (c)]

TRANSPORTATION OF HAY, GRAIN, AND SEED IN ARIZONA

Order No. G-86 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of hay, grain, and seed in Arizona by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting hay, grain in sacks, or seed in sacks, by motor truck in the State of Arizona, except those portions of Mohave, and Coconino Counties lying north of the Colorado River, for the distances and under the conditions hereinafter specified shall be the applicable rates specified in Appendix A attached hereto:

(1) For transportation from any point of origin to any point of destination in Maricopa County, or on or south of U. S. Highway 70, the maximum rates in Column I of Appendix A shall apply.

(2) For transportation from any point of origin to any point of destination north of U. S. Highway 70, except to any point within Maricopa County, the maximum rates in Column II of Appendix A shall apply.

(b) The maximum rates herein specified include all loading and delivery and unloading at rail car or warehouse door. If the carrier is required to open sacks and pour grain into hopper, an additional charge not to exceed one cent per sack may be made. If the carrier is required to carry into rail car and stack or carry into warehouse and stack, an additional charge may be made not to exceed 35¢ per ton for hay and not to exceed one cent per sack for grain or seed.

(c) The carrier may make a minimum trip charge not to exceed \$5.00 without regard to tonnage or distance. This charge shall not be in addition to the applicable rates specified in Appendix A.

(d) This order may be amended, revoked, or corrected at any time. This

order shall become effective February 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

APPENDIX A—MAXIMUM PRICES PER TON

FOR THE TRANSPORTATION OF HAY, GRAIN IN SACKS, SEED IN SACKS, IN ARIZONA BY MOTOR CARRIERS OTHER THAN COMMON CARRIERS

| Miles | | Column I | Column II |
|-------|---------------|---|--|
| Over— | But not over— | In Maricopa County or on or south of U. S. Highway 70 | North of U. S. 70 except Maricopa County |
| 0 | 1 | \$1.30 | \$1.30 |
| 1 | 5 | 1.40 | 1.40 |
| 5 | 10 | 1.60 | 1.60 |
| 10 | 15 | 1.80 | 1.80 |
| 15 | 20 | 2.00 | 2.00 |
| 20 | 25 | 2.20 | 2.20 |
| 25 | 30 | 2.40 | 2.50 |
| 30 | 35 | 2.60 | 2.80 |
| 35 | 40 | 2.75 | 3.10 |
| 40 | 45 | 2.90 | 3.35 |
| 45 | 50 | 3.05 | 3.60 |
| 50 | 60 | 3.35 | 3.90 |
| 60 | 70 | 3.65 | 4.25 |
| 70 | 80 | 3.95 | 4.60 |
| 80 | 90 | 4.25 | 4.95 |
| 90 | 100 | 4.50 | 5.30 |
| 100 | 110 | 4.75 | 5.65 |
| 110 | 120 | 5.00 | 6.00 |
| 120 | 130 | 5.25 | 6.35 |
| 130 | 140 | 5.50 | 6.70 |
| 140 | 150 | 5.75 | 7.00 |
| 150 | 160 | 6.00 | 7.30 |
| 160 | 170 | 6.25 | 7.60 |
| 170 | 180 | 6.50 | 7.90 |
| 180 | 190 | 6.75 | 8.20 |
| 190 | 200 | 7.00 | 8.50 |

Miles in excess of 200: To the 200 mile rate add: In column I, \$0.025 for each mile; in column II, \$0.0325 for each mile.

[F. R. Doc. 44-2969; Filed, February 29, 1944;
4:45 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on February 29, 1944.

REGION II

Binghamton, Order No. 9, Filed 1:36 p. m.
Buffalo, Order No. 7, Filed 1:38 p. m.
Trenton, Order No. 11, Filed 1:41 p. m.

REGION III

Columbus, Order No. 3-F, Amendment No. 7, Filed 1:43 p. m.
Columbus, Order No. 7-F, Amendment No. 6, Filed 1:42 p. m.
Indianapolis, Order No. 1-P, Filed 1:35 p. m.
Lexington, Order No. 1-F, Amendment No. 18, Filed 1:44 p. m.
Lexington, Order No. 2-F, Amendment No. 11, Filed 1:44 p. m.
Lexington, Order No. 3-F, Amendment No. 9, Filed 1:44 p. m.
Louisville, Order No. 4-F, Filed 2:00 p. m.
Louisville, Order No. 5-F, Filed 2:04 p. m.
Louisville, Order No. 6-F, Filed 2:04 p. m.
Louisville, Order No. 7-F, Filed 2:05 p. m.

REGION IV

Atlanta, Order No. 1-W, Filed 1:46 p. m.
Atlanta, Order No. 12, Filed 1:48 p. m.
Jackson, Order No. 2-F, Amendment No. 1, Filed 2:06 p. m.

Jacksonville, Order No. 1-F, Amendment No. 12, Filed 2:06 p. m.
Jacksonville, Order No. 20, Filed 1:36 p. m.
Memphis, Order No. 4-F, Amendment No. 22, Filed 1:45 p. m.
Savannah, Order No. 1-F, Amendment No. 24, Filed 1:39 p. m.
Savannah, Order No. 2-F, Amendment No. 19, Filed 1:39 p. m.
Savannah, Order No. 3-F, Amendment No. 17, Filed 1:39 p. m.
Savannah, Order No. 4-F, Amendment No. 16, Filed 1:38 p. m.
South Carolina, Order No. 1-F, Amendment No. 14, Filed 1:43 p. m.
South Carolina, Order No. 2-F, Amendment No. 5, Filed 1:43 p. m.
South Carolina, Order No. 11, Filed 1:45 p. m.

REGION V

Dallas, Order No. 3-F, Amendment No. 4, Filed 1:41 p. m.
Fort Worth, Order No. 1-F, Amendment No. 4, Filed 1:51 p. m.
Fort Worth, Order No. 2-F, Amendment No. 4, Filed 1:51 p. m.
Fort Worth, Order No. 3-F, Amendment No. 4, Filed 1:51 p. m.
Fort Worth, Order No. 4-F, Amendment No. 4, Filed 1:51 p. m.
Fort Worth, Order No. 5-F, Amendment No. 4, Filed 1:53 p. m.
New Orleans, Order No. 2-F, Amendment No. 6, Filed 1:44 p. m.
New Orleans, Order No. G-14, Amendment No. 2, Filed 1:45 p. m.
Oklahoma City, Order No. 3-F, Amendment No. 6, Filed 1:42 p. m.

REGION VI

Des Moines, Order No. 1-F, Amendment No. 3, Filed 1:40 p. m.
Des Moines, Order No. 1-F, Amendment No. 4, Filed 1:39 p. m.
Duluth-Superior, Order No. 1-F, Amendment No. 5, Filed 1:42 p. m.
Milwaukee, Order No. 2-F, Amendment No. 3, Filed 1:35 p. m.
Milwaukee, Order No. 3-F, Amendment No. 3, Filed 1:34 p. m.
Milwaukee, Order No. 5-F, Amendment No. 2, Filed 1:34 p. m.
Moline, Order No. 20, Amendment No. 1, Filed 1:58 p. m.
Moline, Order No. 30, Filed 1:58 p. m.
Omaha, Nebr., Order No. 1-F, Amendment No. 5, Filed 1:56 p. m.
Omaha, Nebr., Order No. 1-F, Amendment No. 6, Filed 1:53 p. m.
Omaha, Nebr., Order No. 2-F, Amendment No. 3, Filed 1:56 p. m.
Omaha, Nebr., Order No. 2-F, Amendment No. 4, Filed 1:53 p. m.
Omaha, Nebr., Order No. 10, Amendment No. 1, Filed 1:54 p. m.
Omaha, Nebr., Order No. 11, Filed 1:46 p. m.
Omaha, Nebr., Order No. 12, Filed 1:54 p. m.
Peoria, Order No. 5, Amendment No. 5, Filed 1:55 p. m.
Sioux City, Order No. 2-F, Amendment No. 3, Filed 1:41 p. m.
Sioux Falls, Order No. 12, Filed 2:00 p. m.
Sioux Falls, Order No. 13, Filed 1:59 p. m.

REGION VIII

Phoenix, Order No. 3-F, Amendment No. 7, Filed 1:55 p. m.
Portland, Order No. 1-F, Amendment No. 4, Filed 1:40 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-3005; Filed, March 1, 1944;
4:25 p. m.]

[Region I Order G-45 Under RMPR 122]

**SOLID FUELS IN WHITE RIVER JUNCTION
AREA**

Correction

In F.R. Doc. 44-2067 appearing on page 1746 of the issue for Tuesday, February 15, 1944, the fourth line of the second paragraph should be deleted and the words "Administrator of Region I of the Office of" substituted therefor.

In the table in paragraph (c) (1) the price per ½ ton opposite "Jeddo Highland or Greenwood: Egg, stove and chestnut" should read "\$8.75"

SECURITIES AND EXCHANGE COMMISSION.

NEW YORK CURB EXCHANGE

AMENDED PLAN DECLARED EFFECTIVE

Declaration of effectiveness of amended plan of the New York Curb Exchange pursuant to § 240.10B-2 (d) [Rule X-10B-2 (d)].

The Securities and Exchange Commission, having previously declared effective a plan for special offerings, and certain amendments thereto, filed pursuant to Rule X-10B-2 (d) by the New York Curb Exchange; and the New York Curb Exchange, on February 26 and 29, 1944, having filed further amendments to its plan for such special offerings;

The Securities and Exchange Commission having given due consideration to the special offering plan of the New York Curb Exchange as amended and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, and Rule X-10B-2 thereunder, hereby declares the amended special offering plan of the New York Curb Exchange as filed on February 29, 1944, to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective March 3, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-3111; Filed, March 3, 1944;
9:55 a. m.]

[File Nos. 54-68, 59-55, 70-806]

COMMUNITY GAS AND POWER CO., ET AL.

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of March 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, Ameri-

can Gas and Power Company and the Subsidiary Companies thereof, Respondents, File No. 59-55; Alpha Association, File No. 70-806.

American Gas and Power Company having filed a plan pursuant to Section 11 (e) of the Public Utility Holding Company Act of 1935 regarding (1) the sale by American Gas and Power Company of its interests in American Utilities Associates, (2) the modification of a prior order of the Commission dated July 2, 1943, requiring liquidation and dissolution of American Utilities Associates, and (3) amendments to the Debenture Agreement between American Gas and Power Company and the New York Trust Company, Trustee; and

Alpha Association, a Massachusetts trust, having filed an application pursuant to sections 9 (a) (2) and 10 of the act, on behalf of itself and others to be associated with it, regarding the acquisition of the securities of American Utilities Associates which American Gas and Power Company proposes to sell; and

American Gas and Power Company having requested that appropriate findings and orders be made so that it may have the exemption afforded by section 1808 (f) of the United States Internal Revenue Code, as amended; and

A hearing having been held on such matters, after appropriate public notice in which all security holders of American Gas and Power Company and other interested persons were given opportunity to be heard, and the Commission having made and filed its findings and opinion herein;

It is ordered, That said plan be and hereby is approved, subject, however, to the conditions specified in Rule U-24 under said act.

It is further ordered, That the approval of said plan includes specific approval of the following transactions:

1. The sale by American Gas and Power Company to Alpha Association of all its interests in American Utilities Associates consisting of \$5,910,000 principal amount of Notes (of which a Note in the principal amount of \$4,950,000 is secured by pledge of 58,199 shares of the capital stock of Lowell Gas Light Company, owned by American Utilities Associates) with unpaid interest amounting to \$3,866,475 at September 30, 1943; accounts payable of American Utilities Associates in the amount of \$110,065 at that date; and the outstanding shares of beneficial interest of American Utilities Associates (20,000 shares, par value \$1 per share) all for a base consideration of \$900,000 pursuant to a contract dated September 28, 1943, and amendments thereto.

2. Modification of the Debenture Agreement between American Gas and Power Company and The New York Trust Company, successor trustee, dated May 1, 1928, and supplements thereto, as set forth in the findings and opinion issued herein.

It is further ordered, That said transaction and the above specified exchanges, transfers, conveyances and sales included therein, are necessary or appropriate to effectuate the provisions of section 11 (b)

of the Public Utility Holding Company Act of 1935.

It is further ordered, That the declaration pursuant to section 12 (d) of the act regarding such sales be permitted to become effective forthwith, and that the applications by Alpha Association and those to be associated with it pursuant to sections 9 (a) (2) and 10 of the act be granted forthwith, subject, however, to the following conditions: (1) Neither Alpha Association nor American Utilities Associates, notwithstanding any existing rules of exemption promulgated pursuant to the act, shall be exempt as holding companies or as a subsidiary thereof from such part of section 4 (a) (3) of the act as may be applicable to the public offering for sale or exchange of any securities of Alpha Association or of American Utilities Associates and (2) any available exemption of Alpha Association or American Utilities Associates as holding companies under the Public Utility Holding Company Act of 1935 shall immediately and automatically be revoked in their entirety if any such offering is made.

It is further ordered, That the prior order of this Commission dated July 2, 1943, insofar as such order requires that the existence of American Utilities Associates be terminated and that such company be liquidated and dissolved, be and it hereby is revoked and modified so that the existence of such company may continue subject, however, to the condition that this order of modification shall be revoked and of no effect if any public offering for sale or exchange of any securities of American Utilities Associates or of Alpha Association be made, in which event our prior Order dated July 2, 1943, requiring the liquidation of American Utilities Associates, shall immediately and automatically be in full force and effect.

It is further ordered, That jurisdiction be and it hereby is reserved to the Commission to entertain such further proceedings to make such supplemental findings and to take such further action as it may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-3112; Filed, March 3, 1944;
9:55 a. m.]

[File No. 54-89]

THE UNITED CORPORATION

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of March 1944.

The Commission having previously designated March 7, 1944 as the date for hearing in the above proceeding involving the application of The United Corporation under section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a proposed plan of exchange of portfolio assets for outstanding shares of its Preference Stock, as more

fully set forth in the Commission's Notice of Filing and Order for Hearing dated February 2, 1944 (Holding Company Act Release No. 4870) and

The United Corporation having requested that the hearing in this matter be postponed until March 22, 1944, and the Commission deeming it appropriate that said request be granted;

It is ordered, That the hearing in this matter previously scheduled for March 7, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be, and hereby is, postponed to March 22, 1944, at the same hour and place and before the same Trial Examiner as heretofore designated.

It is further ordered, That the time within which any person desiring to be heard or otherwise to participate in the above proceeding shall file his request or application therefor with the Secretary of the Commission, as provided in Rule XVII of the Commission's rules of practice, be, and the same hereby is, extended to March 17, 1944.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-3113; Filed, March 3, 1944;
9:55 a. m.]

[File No. 68-38]

AMERICAN GAS AND POWER COMPANY

ORDER AUTHORIZING SOLICITATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of March 1944.

American Gas and Power Company, a registered holding company, having filed a declaration pursuant to section 12 (e) of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder regarding the solicitation of consents of the holders of the Secured Debentures of American Gas and Power Company, 5% and 6% Series, to the release from the lien of the Debenture Agreement between American Gas and Power Company and The New York Trust Company, successor trustee, dated May 1, 1928 and Supplements thereto of the securities of and interest in American Utilities Associates and Lowell Gas Light Company pledged under said Debenture Agreement and Supplements thereto, upon deposit with said trustee of the cash consideration upon the sale thereof; and

The Commission this date, pursuant to section 11 (e) of said act, having issued its opinion and order approving a plan to effectuate the provisions of section 11 (b) of said act filed by American Gas and Power Company which plan, among other things, (1) provides for the sale of such securities of and interest in American Utilities Associates and Lowell Gas Light Company and (2) provides for an amendment of the release provisions of the aforesaid Debenture Agreement;

It appearing that it would not be detrimental to the public interest or the interest of investors or consumers to permit said declaration to become effective;

It is ordered, That said declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-3114; Filed, March 3, 1944;
9:55 a. m.]

[File Nos. 59-20, 59-8, 54-75]

THE COMMONWEALTH AND SOUTHERN CORP., ET AL.

NOTICE OF FILING OF AMENDED PLAN AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 2nd day of March 1944.

In the matter of the Commonwealth & Southern Corporation (Delaware), Respondent, File No. 59-20; The Commonwealth & Southern Corporation (Delaware) and its subsidiary companies, Respondents, File No. 59-8; The Commonwealth & Southern Corporation (Delaware) File No. 54-75.

The Commission having by order dated April 9, 1942, directed The Commonwealth & Southern Corporation ("Commonwealth") a registered holding company, to change its capitalization to one class of stock, namely, common stock; and

Commonwealth having on April 20, 1943 filed a plan pursuant to section 11 (e) of the act designed to reduce its capital structure to a single class of common stock and take other related action and a notice of filing and order for hearing on said plan having been issued on May 8, 1943 (Holding Company Act Release No. 4294) and hearings having been held from time to time on said plan;

Notice is hereby given that Commonwealth has filed an amended plan in substitution for the plan filed April 20, 1943. The amended plan has the same objective as the earlier plan of reducing the capitalization of Commonwealth to a single class of common stock. Its principal differences from the earlier plan are (1) the allocation of approximately 80% and 20% of the new common stock of Commonwealth and certain assets to be distributed as between the preferred and common stockholders of Commonwealth, respectively, proposed in the original plan is changed to approximately 85% and 15%, respectively (2) the provision in the original plan for the distribution of the common stock of Consumers Power Company is modified so as to provide for the distribution of the common stock of the five northern subsidiaries of Commonwealth (Consumers Power Company, Central Illinois Light Company Southern Indiana Gas and Electric Company, and Ohio Edison Company, which will hold the stock of Pennsylvania Power Company) and (3) a cash payment of \$3.50 per share (subject to reduction to \$2.75) will be made on the outstanding preferred stock of Commonwealth plus additional cash distributions, as set forth below;

All interested persons are referred to said amended plan, which is on file in

the offices of the Commission, for a full statement of the transactions therein proposed which may be summarized as follows:

Commonwealth will change its authorized capitalization to 10,000,000 shares of common stock, having a par value of \$5 per share and will issue 8,979,234 shares of such new common stock to the preferred and common stockholders in the ratios of 85% and 15%, respectively.

Commonwealth proposes that the present outstanding number of shares of common stock of the northern subsidiaries be changed in order to minimize the fractions which will result from distributions, without, however, changing the aggregate amount of capital represented by such stocks.

Commonwealth will distribute to the holders of its outstanding preferred and common stock the following number of shares of common stock of the northern subsidiaries and of Commonwealth's new common stock:

(a) Per Share of Commonwealth's Preferred Stock

13¹/₁₀₀ (1.03) shares of common stock of Consumers Power Company

13¹/₁₀₀ (1.03) shares of common stock of Ohio Edison Company

20⁹/₁₀₀₀ (.208) share of common stock of Central Illinois Light Company

20⁹/₁₀₀₀ (.208) share of common stock of Southern Indiana Gas and Electric Company

51¹/₁₀₀ (5.15) shares of Commonwealth's new common stock

\$3.50 in cash, provided that this amount may be reduced to \$2.75 per share if the Board of Directors, prior to the date the Amended Plan becomes effective, determine that the reduction is desirable to preserve adequate working capital.

An additional amount in cash equal to $\frac{1}{14320000}$ ths of 75% of the consolidated net income of Commonwealth and its subsidiary companies from January 1, 1944 to the first day of the calendar month in which the Amended Plan becomes effective, or equal to dividends at the rate of \$6.00 per annum from January 1, 1944 to such date, whichever is less, from which shall be deducted the amount of any dividends declared on each preferred share from January 1, 1944 to the effective date of the Amended Plan.

(b) Per Share of Commonwealth's Present Common Stock

8¹/₁₀₀₀ (.008) share of common stock of Consumers Power Company

8¹/₁₀₀₀ (.008) share of common stock of Ohio Edison Company

12¹/₁₀₀₀₀ (.0016) share of common stock of Central Illinois Light Company

12¹/₁₀₀₀₀ (.0016) share of common stock of Southern Indiana Gas and Electric Company

1¹/₁₀₀ (.04) share of Commonwealth's new common stock

No provision is made in the Amended Plan for the continuance of the rights of the holders of the outstanding Option Warrants, and from and after the effective date of the Amended Plan, such Option Warrants shall be null and void and of no effect.

Prior to the distribution of the common stock of Ohio Edison Company, Commonwealth will transfer, without cost, to Ohio Edison Company all of the outstanding shares of common stock of Pennsylvania Power Company as an addition to the common stock equity of Ohio Edison Company.

Commonwealth reserves the right at any time prior to the effective date of the Amended Plan, subject to any necessary approvals of the Commission or of any other regulatory body having jurisdiction, to dispose of the common stock of Southern Indiana Gas and Electric Company, and, subject as aforesaid, to utilize the proceeds for such purposes as shall be determined by the Board of Directors.

Commonwealth will make an appropriate change in its corporate name.

Upon approval of the Amended Plan by this Commission and the subsequent approval by a majority vote of the stockholders, Commonwealth has requested that this Commission apply to a proper United States District Court to enforce and carry out the terms and provisions of the Amended Plan and make them binding on all security holders.

Distributions of new securities will be made pursuant to the Amended Plan as soon as practicable after it has become effective. Such distributions will be made against surrender of certificates representing Commonwealth's outstanding preferred stock and common stock at the Transfer Agency of Commonwealth at 120 Wall Street, New York, N. Y., or at the office of any agent appointed pursuant to the Amended Plan for such purpose.

(a) As soon as practicable after the expiration of three years from the effective date of the Amended Plan, the exchange agent shall sell in the open market all the shares then represented by unexchanged certificates. For a period of two years thereafter, the exchange agent will hold the proceeds from such sales together with any dividends thereon for the equal and proportionate benefit of the then unexchanged shares of preferred and common stocks of Commonwealth, such proceeds to be payable upon surrender of the certificates.

(b) On the expiration of the fifth year after the effective date of the Amended Plan, the exchange agent will forthwith pay over to Commonwealth any funds then held, and the holders of outstanding certificates for preferred and common stock of Commonwealth, or of scrip certificates therefor, shall have no right to, or claim against, such funds.

No fractional shares will be issued, but in lieu thereof, scrip certificates will be issued if so requested in writing. If no request is made such fractional shares will be sold on the open market from time to time as there are accumulated a number of full shares which may be handled economically and the proportionate share of the net proceeds will be remitted to the person entitled thereto.

(a) Scrip certificates will be in bearer form, will be non-dividend bearing and non-voting. Scrip certificates aggregating one or more full shares may be exchanged for full shares at any time within three years from the effective date of the Amended Plan. A scrip agent will hold the shares of stock represented by outstanding scrip until three years from the effective date of the Amended Plan, and immediately thereafter will sell the shares then held in the open market.

(b) Thereafter, for a period of two years holders of scrip certificates will be entitled to receive from such scrip agent upon the surrender of scrip certificates their proportionate part of the net proceeds from the sale of the shares sold by such scrip agent and of any dividends theretofore paid thereon. Any funds unclaimed at the expiration of said 5-year period shall be forthwith payable to Commonwealth and the holders of scrip certificates will have no right to or claim against such funds.

The dates fixed by the foregoing provisions for sale of stocks held by the respective agents and for termination of the rights of the holders of outstanding certificates and holders of scrip may be extended or otherwise modified by Commonwealth as the Commission may approve or authorize but in no event shall the final termination date be later than January 1, 1951, except that such date may be so extended in certain instances as set forth in the Amended Plan.

Following distribution of their common stocks, the northern companies will cancel the existing contracts with The Common-

wealth & Southern Corporation (New York), the mutual service company, and will surrender for cancellation and retirement the shares of capital stock of that company now owned by them, against the payment by it of the stated value thereof of \$100 per share.

No person who is an officer or director of Commonwealth or of the mutual service company on the 31st day after the initial distribution of common stocks hereunder shall be at that time an officer or director of any of the northern group of companies or be eligible for election as a director or officer of any of such northern companies at the next annual stockholders' meeting thereof, and thereafter there shall not be any officers and directors common to both Commonwealth and its subsidiary companies, on the one hand, and such northern companies, on the other hand: *Provided, however*, That the foregoing restriction as to common officers shall not be effective to prevent specified persons who are officers or directors of the subsidiary companies of Commonwealth, including the mutual service company, from being officers or directors of the northern companies for such period or periods subsequent to the initial distribution of common stocks as may, on application, be approved by the Commission.

Upon the consummation of the Amended Plan, Commonwealth will restate and segregate on its books its investments in its retained subsidiary companies at such amounts as may be determined by the Board of Directors, which amounts shall not in any case be in excess of the underlying book value thereof as of the effective date of the Amended Plan. Any amount by which the carrying value of Commonwealth's assets as so determined, exceeds its liabilities, including the aggregate par value of its issued capital stock, shall be credited to capital surplus or to an appropriate reserve.

At or prior to consummation of the Amended Plan, Consumers Power Company will charge its surplus account with approximately \$5,300,000 of unamortized debt discount, premium and expense on its previously refunded issues, thus reducing the current annual amortization charge against income by about \$460,000.

The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find after notice and opportunity for hearing that the plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected thereby, and it appearing appropriate to the Commission that notice be given and a hearing be held upon the amended plan to afford all interested persons an opportunity to be heard with respect thereto; and

It appearing appropriate, in view of the Commission's order of April 9, 1942 and of the provisions of section 11 (d) with respect to court enforcement of such an order, to provide opportunity for hearing, as part of these consolidated proceedings as to whether the Commission should approve any plan of reorganization of Commonwealth that may be hereafter proposed by the Commission in the first instance or by any person having a bona fide interest in the reorganization;

It is ordered, That the hearing be reconvened at 10:00 a. m., e. v. t., on the 23d day of March, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the Hear-

ing Room Clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of Practice, Rule XVII, on or before March 20th, 1944.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by said amended plan or any other plan which may be filed by any duly qualified persons particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the amended plan as proposed or as modified is necessary to effectuate the provisions of section 11 (b) of the act, fair and equitable to the persons affected thereby, and in conformity with the requirements of the Commission's order of April 9, 1942;

(2) Whether the proposed allocations of Commonwealth's new common stock and the common stocks of Consumers Power Company, Central Illinois Light Company, Southern Indiana Gas and Electric Company and Ohio Edison Company, to the preferred and common stockholders of Commonwealth are appropriate, or whether such allocations should be modified so as to provide a larger or smaller allocation to the preferred stock;

(3) Whether the proposed distribution of the common stocks of Consumers Power Company, Central Illinois Light Company, Southern Indiana Gas and Electric Company and Ohio Edison Company, is in all other respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder;

(4) Whether the proposed donation of the common stock of Pennsylvania Power Company by Commonwealth to Ohio Edison Company tends toward the economical and efficient development of an integrated public utility system and otherwise meets the requirements of the act and the rules thereunder;

(5) Whether the accounting entries proposed to be recorded in connection with the amended plan are appropriate and in accordance with sound accounting principles and practice;

(6) Whether, in the event that the Commission shall approve such amended plan as filed or as modified, the Commission shall approve such plan for purposes of section 11 (d) of the act (as well as section 11 (e) so as to permit the Commission on its own motion and irrespective of request therefor on the part of Commonwealth, to apply to a court for the enforcement of such plan pursuant to section 11 (d);

(7) Whether, in the event that the Commission shall not approve said amended plan as filed or as modified, the Commission shall itself propose and approve a plan for purposes of section 11 (d) or shall approve for purposes of section 11 (d) any plan that may be proposed by any person having a bona fide interest in the reorganization of Commonwealth;

(8) Whether the fees and expenses to be paid in connection with the proposed amended plan and all transactions incidental

thereto are for necessary services and are reasonable in amount;

(9) Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of this hearing is given to The Commonwealth & Southern Corporation and to all other persons; such notice to be given to The Commonwealth & Southern Corporation by registered mail and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Holding Company Act, and by publication in the FEDERAL REGISTER; and

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in these proceedings, or to consolidate with these proceedings other filings or matters pertaining to said amended plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-3115; Filed, March 3, 1944;
9:55 a. m.]

[File No. 811-393]

CENTRAL ASSOCIATED INVESTORS, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of March, A. D. 1944.

The Commission having reasonable cause to believe that Central Associated Investors, Inc., a registered investment company, has been dissolved and has ceased to do business;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing be held on March 13, 1944, at 10 a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, to determine whether the Commission shall declare by order, pursuant to section 8 (f) of said act, that Central Associated Investors, Inc., has ceased to be an investment company and

It is further ordered, That Robert P Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Central Associated Investors, Inc., and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors. By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-3116; Filed, March 3, 1944;
9:55 a. m.]

[File No. 1-1275]

ADAMS OIL AND GAS COMPANY

ORDER SETTING HEARING ON APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of March, A. D. 1944.

The Adams Oil and Gas Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, No Par Value, from listing and registration on The Chicago Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, March 10, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Chas. S. Loring, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-3117; Filed, March 3, 1944;
9:56 a. m.]

WAR PRODUCTION BOARD.

WARREN CONSTRUCTION COMPANY

CONSENT ORDER

Harry Bach, 2529 Euclid Heights Blvd., Cleveland Heights, Ohio, doing business individually and as the Warren Construction Company, is and has been engaged in the building and construction business. On or about December 31, 1943, he entered into a contract with the proprietor of a proposed cafe and restaurant for the remodeling and reconstruction of the premises known as 933 Chester Avenue, Cleveland, Ohio, which

had been rented by the said proprietor for the purpose of operating a cafe and restaurant. On or about January 10, 1944, Harry Bach began construction of alterations and remodeling, using material and labor in violation of Conservation Order L-41. On January 27, 1944, when the work was stopped, approximately 90% of the project had been completed, the ultimate cost of which to the said proprietor would have approximated \$7,000, which was greatly in excess of the amount permitted under Order L-41.

Wherefore, upon the agreement and consent of Harry Bach, individually and as the Warren Construction Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Deliveries of material to Harry Bach, individually, or doing business as the Warren Construction Company, or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Harry Bach, individually, or doing business as the Warren Construction Company, or otherwise, his successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Harry Bach individually, or the Warren Construction Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the date of issuance, and shall expire on May 2, 1944.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3096; Filed, March 2, 1944;
4:46 p. m.]

[Certificate 197]

NORTHWEST LOG CHECKING BUREAU, INC.

APPROVAL OF JOINT ACTION PROGRAM

THE ATTORNEY GENERAL.

I submit herewith a memorandum from the Administrator of the Office of Price Administration recommending a program for joint action by log scalers and log scaling bureaus, their members and directors, in the Pacific Northwest Coast Territory in the formation and activities of the Northwest Log Checking

Bureau, Inc., directed to the obtaining of uniform application of the grading and scaling rules prescribed in revised Maximum Price Regulation 161.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) I approve the joint action program as described in the memorandum; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval as herein expressed is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

FEBRUARY 28, 1944.

MEMORANDUM

FEBRUARY 19, 1944.

To: Mr. Donald M. Nelson, Chairman, War Production Board, Social Security Building.
Subject: Request for Approval, Pursuant to section 12 of Public Law 603, 77th Congress, of the proposed activities of Northwest Log Checking Bureau, Inc.

In order for the Office of Price Administration adequately to discharge its duties under the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, it is necessary that the Puget Sound Log Scaling and Grading Bureau, Grays Harbor Log Scaling and Grading Bureau, and Columbia River Log Scaling and Grading Bureau, their members and directors, and the various independent log scalers and graders operating under the provisions of Revised Maximum Price Regulation No. 161 (West Coast Logs) (8 F.R. 1117, 2992, 5678, 6619, 9381, 10660, 11509, 16602, 16603, 17327) act together in the formation and activities of the Northwest Log Checking Bureau, Inc., a non-profit corporation organized under the laws of the State of Washington.

The program of joint action prescribes that any generally recognized scaling bureau located in the Pacific Northwest Coast Territory which scales a minimum of 150,000,000

feet of logs per year can become a member of the bureau. The bureaus known to meet these qualifications are the Puget Sound Log Scaling and Grading Bureau, Grays Harbor Log Scaling and Grading Bureau, and the Columbia River Log Scaling and Grading Bureau. Any independent scaler or independent scaling bureau approved by the Office of Price Administration under the provisions of Revised Maximum Price Regulation No. 161 and located in that territory, however, may become an associate member under certain conditions. The board of directors is to consist of thirteen members. Three of these directors will be from each of the three principal log scaling bureaus—in each case one being a representative of mills or buyers, one a representative of the loggers or cellers, and the third, the manager of that bureau. The independents on the Board of Directors shall consist of one from each of the marketing districts specified in RMPR 161, and shall be selected by the independents certified by this Office under § 1381.158 (a) (3) of the Regulation.

The program of joint action contemplated by this request shall be to systematize, stabilize, and make uniform the classifications, grading, scaling, measuring, sorting and inspection of logs, spars, poles, piling, veneer blocks, shingle bolts, and all other primary forest products manufactured, produced, sold or shipped in and from the Northwest Pacific Coast Territory, including the Province of British Columbia, Canada, and including any other state, territory or locality in which the corporation shall be authorized to engage in business, and to improve, perfect, stabilize and make uniform modes, methods, customs and practices relating to grading and scaling. In addition the Northwest Log Checking Bureau, Inc., will serve and act as arbitrator of contracts, requirements and controversies as between sellers, buyers, manufacturers, producers, owners, shippers and common carriers as to scaling, measuring, weight, quantity, quality, inspection and condition of logs and all other of such timber products; to investigate, scale, re-scale and inspect and otherwise check the same; and to decide, report and certify thereon.

These activities are directed to the obtaining of uniform application of the grading and scaling rules prescribed in Revised Maximum Price Regulation 161 and any amendments or revisions thereof and to the providing of expert advice and assistance to Office of Price Administration in all matters pertaining to grading and scaling in the area involved.

All joint actions and discussions are to relate directly and are to be restricted to the proper performance of the functions of the Northwest Log Checking Bureau, Inc., as outlined above. If the actions or discussions in concert go beyond this limitation, the entire course of joint conduct shall be considered improper and subject to the restrictions of law which would apply in the absence of any certification by you pursuant to this recommendation.

It appears that some joint discussions and actions by the persons participating in the program of the Northwest Log Checking Bureau, Inc., is necessary to and will effectuate the purposes of Revised Maximum Price Regulation No. 161, and of our program of price control. I have approved the program set out herein and recommend that you find and certify pursuant to Section 12 of Public Law 603, 77th Congress (56 Stat. 357) that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with this recommendation pertaining to the said Northwest Log Checking Bureau, Inc., is requisite to the prosecution of the war.

It is understood that certification pursuant to Section 12, Public Law 603, 77th Congress, does not sanction any act or omission to act after the termination of the certificate, nor sanction the continuance of any act, thing, or organization after such termination. No sanction is given for the existence of the corporation after the termination of the certificate, nor for any effects of such incorporation beyond such period, nor beyond the scope of the certificate.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3123; Filed, March 3, 1944;
11:17 a. m.]

